

Washington, Tuesday, November 24, 1942

The President

EXECUTIVE ORDER 9274

AUTHORIZING AN INCREASE IN THE NUMBER OF UNITS AND MEMBERS OF THE WOMEN'S ARMY AUXILIARY CORPS

By virtue of and pursuant to the authority vested in me by the act entitled "An Act to establish a Women's Army Auxiliary Corps for service with the Army of the United States", approved May 14, 1942 (Public Law 554, 77th Congress), as amended by the act approved October 26, 1942 (Public Law 761, 77th Congress), and in order further to accomplish the purpose of said act, as amended, I do hereby authorize and direct the Secretary of War to establish units of the Women's Army Auxiliary Corps, heretofore established by Executive Order No. 9163 of May 15, 1942, of such character and in such numbers as he may determine from time to time to be necessary to meet the requirements of the Army, subject to the limitation that the total number of women enrolled or appointed in such Corps shall not exceed one hundred fifty thousand.

Executive Order No. 9163 of May 15, 1942, is hereby amended to the extent necessary to carry out the purposes of this order.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE. November 19, 1942.

[F. R. Doc. 42-12173; Filed, November 20, 1942; 2:22 p. m.]

Regulations

TITLE 7-AGRICULTURE

Subtitle A-Office of the Secretary [Rationing Order C]

PART 2-RATIONING OF FARM MACHINERY AND EQUIPMENT

NEW FARM MACHINERY AND EQUIPMENT

In view of the drastic limitation of production of new farm machinery and

17 F.R. 3695.

equipment, it is necessary in the general public interest that the distribution and use of new farm machinery and equipment be so controlled as best to promote the war effort. Accordingly, this Rationing Order C, which establishes a procedure for effectuating that purpose, is issued.

New farm machinery and equipment listed in Schedule I or Schedule II of this order may not be transferred until the Secretary of Agriculture or the Special War Board Assistant to the Secretary of Agriculture takes action pursuant to §§ 2.206, 2.207 and 2.212 of this order, except that new farm machinery and equipment listed on Schedule II which is in the hands of dealers may be transferred on and after the effective date of this order.

Pursuant to the authority vested in the Secretary of Agriculture by Administrative Orders 281 and 301 of the Office of Price Administration, issued September

15, 19	942, and November 11, 1942, respec-	
tively: It is hereby ordered, That:		
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The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the Federal Register will be furnished by mail to subscribers, free of postage, for \$1.25 per month or \$12.50 per year, payable in advance. Remit money order payable to the Superintendent of Documents directly to the Government Printing Office, Washington, D. C. The charge for single copies (minimum, 10¢) varies in proportion to the size of the issue.

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Telephone information: District 0525.

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AUTHORITY: §§ 2.201 to 2.242, inclusive, issued under Pub. Law 671, 76th Cong., as amended by Pub. Law 89, 77th Cong., and Pub. Laws 507 and 421, 77th Cong., War Production Board Directive 1, Supplementary Directive 1-K, Supplementary Directive 1-P, 7 FR. 562, 7280, 8856, Office of Price Administration Administrative Orders 28 and 30, 7 FR. 7326, 8672, 9368.

DEFINITIONS

§ 2.201 Definitions. When used in Rationing Order C:

(a) "Secretary" means the Secretary of Agriculture.

(b) "County farm rationing committee" means the county rationing committee heretofore established pursuant to § 2.4 of Temporary Rationing Order A, as amended (which committees are to remain in full force and effect), or the committee established pursuant to § 2.204 hereof.

(c) "State board" means the State U. S. D. A. War Board.

(d) "Special War Board Assistant" means the Special War Board Assistant to the Secretary of Agriculture.

(e) "Application" means an application for the purchase of Schedule I

equipment.

(f) "Purchase certificate" means a

certificate authorizing the purchase of Schedule I equipment. (g) "Applicant" means a person who has filed an application with a county

farm rationing committee or with a State board. (h) "Manufacturer" means any person engaged to whatever extent in the

business of making or assembling new

farm machinery and equipment.

(i) "Distributor" means any person who accepts transfers of new farm machinery and equipment to the extent that such transfers are accepted for the purpose of making further transfers other than for use.

(j) "Dealer" means any person, whether principal or agent, engaged to whatever extent in the transferring of new farm machinery and equipment for

(k) "Type of equipment" means any general class of equipment, such as trac-

tors, combines, grain drills, etc.

(1) "Person" means any individual, partnership, corporation, association, or any other organized group of "persons" and shall include any agent, agency, or any "person" acting for or on behalf of any of the foregoing. The term "person" shall also include the United States or any agency thereof, and a State or any political subdivision or agency thereof.

(m) "Transfer" means any actual or purported act or transaction, whether or not evidenced by writing, the purpose, intent, or effect of which is to create surrender, release, change, or alter, directly or indirectly, any right, title, interest, or possession with respect to any new farm machinery and equipment and, without limitation upon the foregoing, shall include the making, execution, or delivery of any bill of sale, chattel mortgage, receipt, agreement, contract, cer-tificate, gift, loan, lease, sale, barter, or exchange, the creation or transfer of any lien, the issuance, docketing, filing, or the levy of or under any judgment, decree, attachment, execution, or other judicial process or order. The use by a dealer or manufacturer of new farm machinery and equipment in farming operations shall be deemed a transfer. "Transfer" shall also include delivery of any new farm machinery and equipment from any person to any agent or agency of such person or the delivery thereof to any person acting on behalf of such person.

(1) Notwithstanding the foregoing, the following shall not be deemed to be transfers:

(i) The delivery of new farm machinery and equipment to a repairman, or to any other person, for the sole purpose of making repairs or adjustments. (ii) The creation, surrender, release or alteration of any right, title or interest in new farm machinery and equipment which is done solely for the purpose of securing or releasing any obligation of the transferor: Provided, however, That the transferee may not acquire such new farm machinery and equipment except for purposes of making a transfer thereof pursuant to the provisions of this order.

(2) Notwithstanding the foregoing, the delivery of new farm machinery and equipment to a carrier for shipment or the delivery of new farm machinery and equipment by a carrier to a consignee shall not be deemed to be transfers to

or by a carrier.

(n) "Farm machinery and equipment" means agricultural machinery, mechanical equipment and implements (including all attachments used in conjunction therewith) used for the production or care of crops, livestock, livestock products, or other produce on a farm (or elsewhere in the case of poultry), including farm fencing, fluid milk shipping containers and covers (no matter where used), irrigation and drainage equipment (excluding tile), horseshoes (including mule-shoes), horseshoe nails, harness hardware and water well casing: but excluding repair parts and also excluding all of the following: track-laying type tractors, equipment ordered by the United States Department of Agriculture or other United States Government agencies, buildings and repairs thereto, bale ties or straps, oil well casing and water pipe, nails (other than horseshoe nails) and sundry hardware.

(o) "Attachment" for farm machinery and equipment means a supplementary appliance which may be added to an otherwise complete machine to extend the utility of such machine. No item listed in Schedule I or Schedule II shall be considered an attachment.

(p) "New farm machinery and equipment" means all farm machinery and equipment except farm machinery and equipment transferred for use prior to the effective date of this order, or except farm machinery and equipment transferred for use pursuant to the provisions of this order. Farm machinery and equipment transferred or used in violation of this order shall be deemed to be new farm machinery and equipment.

(q) "Schedule I equipment" means new farm machinery and equipment listed in Schedule I attached hereto and

made a part hereof.

(r) "Schedule II equipment" means new farm machinery and equipment listed in Schedule II attached hereto and made a part hereof.

(s) "Notification" means the depositing of any notice in the United States mail addressed to the last known address of the person being notified, or the delivery in any other manner of written notice to such person, and whenever this order requires the computation of time after notification, such time shall be computed from the date on which such notice was so deposited in the United States mail or was so delivered to such person.

(t) "Mail order house" means any person engaged in the business of transferring farm machinery and equipment for use directly to transferees upon orders therefor received, primarily by mail, from such transferees.

ADMINISTRATION AND PERSONNEL

§ 2.202 Personnel. The administration of the farm machinery and equipment rationing program established by this order and the powers conferred upon the Secretary by the Office of Price Administration Administrative Orders 28 and 30, are hereby delegated to the Special War Board Assistant. The Special War Board Assistant shall be assisted in the administration of the farm machinery and equipment rationing program by the State boards, the county farm rationing committees, and by such employees of the Department of Agriculture as he may designate.

§ 2.203 Duties. The county farm rationing committee, the State boards, the Office for Agricultural War Relations, and the Special War Board Assistant shall have the duties and responsibilities prescribed in this order and such further duties and responsibilities as the Secretary or the Special War Board Assistant may designate.

§ 2.204 County farm rationing committee. (a) The county farm rationing committee shall consist of three regular members and two alternate members, none of whom shall be dealers. One of the regular members shall be the chairman of the county agricultural conservation committee, who shall be chairman of the county farm rationing committee. If the chairman of the county agricultural conservation committee is a dealer, the county U.S.D.A. war board shall select, as a member and chairman of the county farm rationing committee, a regular or alternate member of the county agricultural conservation committee who is not a dealer. The other two regular members and the two alternate members of the county farm rationing committee shall be appointed by the county U.S.D.A. war board, shall be farmers resident in the county, and shall not be members of the county agricultural conservation committee. The regular and alternate members of the county farm rationing committees shall serve without compen-

(b) An alternate member of the county farm rationing committee shall serve in case of illness or other indisposition of a regular member. No member of a county farm rationing committee shall take part in any committee action which involves the application of, or in any way affects, himself, any member of his immediate family, or other near relative, or his landlord, tenant, or business associate. An alternate member of the committee, not so disqualified, shall serve in such cases only if the distinterested members of the committee do not agree on the action to be taken.

(c) Any member of the county farm rationing committee may be removed after hearing by the State board. In case of such removal, the county U.S.D.A. war board shall fill such vacancy by ap-

pointment pursuant to the provisions of paragraph (a) hereof. If the member removed is a member or chairman of the county agricultural conservation committee, the vacancy shall be filled by the appointment of a qualified regular or alternate member of the county agricultural conservation committee.

(d) If a county farm rationing committee determines that for any reason it cannot satisfactory perform its duties and functions under this order and that such duties and functions could be more satisfactorily performed with the assistance of a subcommittee controlling a smaller geographical area, it may apply to the State board for permission to establish a county farm rationing subcommittee. If the State board determines under all the circumstances that such action would be in the best interest of the new farm machinery and equipment rationing program, it may authorize the county U.S.D.A. war board for such county to appoint a sub-committee consisting of two regular and two alternate members, all of whom shall be farmers, and a third member whe shall be a member of the county agricultural conservation committee. All of such regular and alternate members shall be qualified under paragraph (a) hereof. The member of the county agricultural conservation committee shall be the chairman of such sub-committee. The State board shall designate the area in such county to be served by the county farm rationing committee and the area to be served by the sub-committee. county farm rationing committee shall allocate from its quotas of each type of Schedule I equipment the numbers of units which shall be available for rationing by the sub-committee. Any subcommittee appointed under this paragraph shall act as if it were the county farm rationing committee within the area designated and the procedures in this order applicable to the county farm rationing committee shall be applicable to any such sub-committee. Appeals from any action of such sub-committee shall be made pursuant to this order and shall, after reconsideration by such subcommittee, be made directly to the State board.

(e) If the State board determines for any reason that it is desirable in the best interests of the farm machinery and equipment rationing program that a county farm rationing committee for a particular county be given jurisdiction over one or more other counties in the administration of this order, the State board may designate such county farm rationing committee to administer the provisions of this order for such other county or counties, and it shall abolish any county farm rationing committee heretofore established for such other county or counties. Before a State board takes any action authorized by this paragraph, it shall obtain the approval of the Special War Board Assist-

(f) The county farm rationing committee for Montgomery County, State of Maryland, shall administer the provisions of this order for the District of Columbia.

RESTRICTIONS

§ 2.205 Restrictions of transfers. Regardless of the terms of any contract of sale or purchase, or other commitment, whenever made, no person shall transfer or accept a transfer of any Schedule I equipment or Schedule II equipment except pursuant to the provisions of this order.

SCHEDULE I: EQUIPMENT QUOTAS AND ALLO-CATIONS

§ 2.206 Establishment of quotas. (a) The Office for Agricultural War Relations and the Special War Board Assistant may, from time to time, establish State quotas providing for the maximum number of units of each type of Schedule I equipment for the transfer of which purchase certificates may be issued. State and county quotas and State reserves, if any, may be altered or revoked in the discretion of the Special War Board Assistant.

(b) The Special War Board Assistant may withhold a portion of each State quota of Schedule I equipment as a national reserve to be administered by him for the making of such adjustments as he may deem necessary pursuant to \$ 2.210. The State boards may also withhold a portion of each State quota of Schedule I equipment as a State reserve to be administered by the State board of each such State for the purpose of making necessary adjustments of Schedule I equipment quotas for the counties within the State.

§ 2.207 Allotment of quotas to county farm rationing committees. The Special War Board Assistant shall forward to each State board the Schedule I equipment quotas applicable to each such State. The State board shall then establish and forward to each county farm rationing committee the Schedule I equipment quotas, if any, applicable to each such county. No county farm rationing committee shall issue a purchase certificate for the transfer of any type of Schedule I equipment in excess of its quotas of such Schedule I equipment. Prior to the establishment of a county quota of any type of new farm machinery and equipment in Schedule I, the county farm rationing committee shall not issue any purchase certificates for such type of Schedule I equipment unless the Special War Board Assistant has announced that no quotas will be presently established for such type of Schedule I equipment: Provided, however, That if the Special War Board Assistant thereafter establishes State quotas for any such type of Schedule I equipment, no county farm rationing committee shall, thereafter, issue purchase certificates for transfers of such equipment in excess of its quota.

§ 2.208 Request for adjustment of quotas to cover special situations. Where a county farm rationing committee believes that the current agricultural need requires that it issue a purchase certificate for the transfer of any Schedule I equipment, but is unable to issue such a purchase certificate because its quota for such Schedule I equipment has been exhausted, the county farm rationing com-

mittee may make a request to the State board to increase the county quota of such Schedule I equipment by filing a written request with the State board setting forth the full facts of the case. The State board in its discretion may draw upon its State reserve, if any, to augment such quota for the county as it deems necessary.

§ 2.209 General authority of State boards over quotas. A State board itself shall not issue purchase certificates except as provided in § 2.213 or except pursuant to instructions or regulations issued by the Special War Board Assistant, but may add a specific number of units of Schedule I equipment to the quota of a county for which the county farm rationing committee may then issue purchase certificates. However, a State board shall not increase a county quota in excess of the then existing reserve for such State nor shall the State board grant authority to a county farm rationing committee to exceed that county's then existing quota.

§ 2.210 Adjustment of State quotas by the Special War Board Assistant. The Special War Board Assistant may draw upon the national reserve, if any such reserve is established pursuant to paragraph (b) of § 2.206, to adjust the quotas of the different States. A State board may request an allotment from any such national reserve withheld by the Special War Board Assistant to augment a State reserve, if any, held under such board's control. Any such request shall be accompanied by a statement setting forth in full the facts giving rise to such request.

SCHEDULE II: EQUIPMENT

§ 2.211 Purchase certificates not required. A purchase certificate is not necessary for the transfer of Schedule II equipment.

DISTRIBUTION ORDERS AND REGULATIONS

§ 2.212 Shipment of new farm machinery and equipment. No manufac-turer, distributor, mail order house, dealer or other person shall transfer or physically move (unless for purposes of storage within the county in which such equipment is located) any Schedule I or Schedule II equipment except pursuant to orders or regulations issued by the Secretary or the Special War Board Assistant: Provided, however, That a dealer, from stocks which he has on hand, may transfer any Schedule II equipment, or may transfer any Schedule I equipment pursuant to a purchase certificate. Orders or regulations issued under this section shall be designed, insofar as practicable, to effectuate the proper distribution of farm machinery and equipment in accordance with quotas and allocations established pursuant to this order.

FLUID MILK SHIPPING CONTAINERS AND COVERS

§ 2.213 Special provisions for fluid milk shipping containers and covers. (a) Each State board shall reserve an appropriate number of units of the State quota of new fluid milk shipping containers and covers, if any such quota is established, to ration to dairies and farmers' cooperatives which do business in two or more counties or in a county in which there is no county farm rationing committee established.

(b) The State boards shall act as the county farm rationing committees in the rationing of new fluid milk shipping containers and covers to dairies and farmers' cooperatives which operate in two or more counties or in a county in which there is no county farm rationing committee established. Applications for the above shall be received by the State boards and the State boards shall act upon such applications as if they were the county farm rationing committees and follow the procedures established in this order for county farm rationing committees. Pursuant to such applications the State boards may issue purchase certificates. The State boards shall not issue purchase certificates in any other cases.

(c) The procedure established by this order for appeals from the county farm rationing committees shall be followed in appealing from the action of the State boards acting pursuant to this section, except that requests for reconsideration shall be made to the State board and the appeal from the State board's action shall be taken directly to the Special War Board Assistant.

(d) Any State board acting pursuant to this section shall keep the same records required of a county farm rationing committee.

(e) Any State board may designate one or more areas within its State and may appoint a committee to be responsible for the execution of the provisions of this section in each such area. If such committees are designated, they shall consist of three regular members and three alternate members, all to be appointed by the State board. One member, who shall be chairman, shall be a representative of the Agricultural Marketing Administration, preferably the market administrator, within the designated area; one member shall be a member of a farmers' milk cooperative association within the designated area; and one member shall be affiliated with a dairy company within the designated area. Each alternate shall be qualified in the same manner as the member for whom he is alternate. If any of the above interests are not represented within the designated area, then in lieu of a representative of such interest the State board shall appoint a person resident within the designated area who does not represent any of such interests Both regular and alternate members shall serve without compensation. Any committee appointed under this subsection shall, in rationing new fluid milk shipping containers and covers, operate in accordance with the provisions of this section relating to State boards, except that appeals from the action of such committees upon applications for reconsideration shall be first made to the State board.

PERSONS AUTHORIZED BY THE WAR PRODUC-TION BOARD TO ACQUIRE NEW FARM MA-CHINERY AND EQUIPMENT

§ 2.214 Government agencies; exports; non-farm use. Any Federal agency desiring any new farm machinery and equipment, any person desiring to acquire new farm machinery and equipment for export to and consumption or use in any foreign country, and any person desiring to acquire for non-farm use any new farm machinery and equipment, except fluid milk shipping containers and covers, may acquire such new farm machinery and equipment without purchase certificates provided there is compliance with any and all applicable regulations of the War Production Board.

TRANSFERS OF SCHEDULE I EQUIPMENT WITHOUT PURCHASE CERTIFICATES

§ 2.215 Persons eligible to transfer Schedule I equipment only for purposes of resale. The following persons are eligible to transfer or to accept a transfer. pursuant to orders or regulations issued under § 2.212, of Schedule I equipment without purchase certificates for the purpose only of making further transfers in accordance with this order: dealers, mail order houses, distributors, or manufacturers, or their legal successors in interest (including but not limited to heirs. devisees, successors, assigns, trustees in bankruptcy, receivers, persons distraining, levying by execution, attachment, or similar forms of judicial process, or persons repossessing or taking by default).

STANDARDS OF USE

§ 2.216 Establishment of standards of use. The Special War Board Assistant may, from time to time, establish standards of use for each type of Schedule I equipment. Such standards may differ from State to State and from county to county. The county farm rationing committees and all persons concerned in the administration of this order shall, in any action on applications for purchase certificates, be guided by such standards of use as may be prescribed for the various types of Schedule I equipment for the State and county in which such applications for purchase certificates are made.

PERSONS ELIGIBLE TO ACQUIRE NEW FARM
MACHINERY AND EQUIPMENT IN SCHED-

§ 2.217 Proof of necessity. A person may obtain a purchase certificate and a county farm rationing committee may issue such a purchase certificate only if such person:

(a) Establishes the following facts to the satisfaction of the county farm rationing committee:

(1) That such person's present machinery and equipment cannot handle the production or increased or new production planned and required as a contribution to the current agricultural need.

(2) That such person cannot meet his machinery and equipment needs by re-

pairing his old machines and equipment, by purchasing or renting used machinery and equipment, by custom work, by exchange of work or machinery and equipment, or by any other means;

(3) That failure to approve the application would result in a substantial reduction in the production of crops or commodities essential to the war effort;

(4) That the machinery and equipment to be purchased will, where possible, perform services considerably in excess of the average services performed by the same kind of machinery and equipment in use in the community;

(5) That, if such person desires to change from horse-power or mule-power to motor power, he has a good and sufficient reason for making such change:

(6) That, if such person desires to change from hand labor to machinery, he has a good and sufficient reason for making such change; and

(b) Satisfies the county farm rationing committee that the following agreements have been or will be executed in good faith;

(1) An agreement to turn in to the dealer, or to whomever the county farm rationing committee may designate, for rebuilding or for salvage of all usable parts, or for scrap, the machinery and equipment which he proposes to replace, unless such person furnishes the county farm rationing committee with satisfactory evidence that some other disposition of the worn-out machinery and equipment would better serve the national interest, or that no such disposition thereof is possible;

(2) An agreement with the United States to rent, or do custom work with, or let others use the new farm machinery and equipment on such terms and conditions as the county farm rationing committee may deem necessary;

(3) An agreement with the United States to use the new farm machinery and equipment in accordance with the agreements and statements made in his application for such new farm machinery and equipment, and to comply with or conform to any other agreements and statements made in his application; and the further agreement that, if the county farm rationing committee determines after a hearing that he has failed, without regard to existence of fault on his part, to comply with or conform to such agreements and statements, or that he has made a false statement in preparing his said application or has not made in good faith any statement or agreement signed by him in said application, (i) he will not object to the entry of a judgment or decree compelling him to comply with or conform to such agreements and statements, (ii) he will rent or sell such farm machinery and equipment to such person or persons as the county farm rationing committee may designate, upon such terms and at such rental or sales prices as such applicant and such county farm rationing committee may agree upon, or in case of disagreement. upon such terms and at such rental or sales price as may be agreed upon by a majority of arbiters, one to be appointed by the applicant, one to be appointed by the county farm rationing committee and a third to be appointed by such two arbiters; if such applicant refuses to appoint an arbiter, the rental or sales price shall be that fixed by the arbiter appointed by the county farm rationing committee.

(4) An agreement with the transferor of the new farm machinery and equipment that all right, title, and interest therein acquired by such applicant as transferee shall immediately vest in the United States upon the happening of the following conditions: namely; (i) (a) that there has been a determination by the county farm rationing committee in writing that such applicant is not complying with or conforming to or has failed to comply with or conform to the uses to which said applicant stated in his application he would put his machinery and equipment, or to the agreements which said applicant signed in said application or to any other statements set forth by said applicant in said application; (b) or that the county farm rationing committee has made a determination in writing that said applicant has made a false statement in preparing his said application or has not made in good faith any statement or agreement signed by him in said application, and (ii) that there has been a determination by the State board in writing that such vesting is necessary to promote the best interests of the United States.

APPLICATIONS BY PERSONS FOR SCHEDULE I

§ 2.218 Applications for certificates to purchase Schedule I equipment. (a) Any person who believes that he is entitled under this order to Schedule I equipment may file with the county farm rationing committee for the county in which such Schedule I equipment is to be principally used an application for a certificate to purchase such Schedule I equipment. Such application shall be filed on Form MR-20. The applications for the Schedule I equipment referred to in § 2.213 shall be filed on Form MR-20 with the State board for the State in which such Schedule I equipment is to be principally used.

(b) If, pursuant to § 2.207, the Special War Board Assistant has announced that no quotas will be presently established for any type of Schedule I equipment, an applicant for such type of Schedule I equipment shall, in addition to filing the application mentioned in paragraph (a) hereof, certify in writing to the county farm rationing committee that he has located in the hands of a dealer or a mail order house the Schedule I equipment for which application is made and that to his best knowledge such Schedule I equipment so located will be transferred to him if he is granted a purchase certificate.

§ 2.219 Preparation of application—
(a) Forms. Copies of Form MR-20 may be obtained from any State board, from any county farm rationing committee or from any dealer.

(b) Contents—(1) Name of applicant. The applicant shall state his name as provided in the instructions on Form MR-20.

(2) Addresses. The applicant shall state the mailing address of his residence or principal place of business or office and the telephone number thereof, if any.

(3) Separate applications. A separate application shall be filed for each type

of Schedule I equipment.

(4) Agreements. The agreements specified in § 2.217 (b) (1), (2), and (3) shall be incorporated in each application and the applicant's execution of the application shall also constitute his execution of such agreements.

(5) Execution by applicant. The applicant shall certify the facts stated in the application and shall sign the agreements contained therein in the manner and form provided therefor on Form

MR-20.

§ 2.220 Action by the county farm rationing committee on application. Before granting an application for a purchase certificate for Schedule I equipment, the county farm rationing committee shall satisfy itself that the applicant has properly executed his application, that all the facts stated in the application are true, and that the applicant has satisfied all the pertinent requirements and conditions specified by this order.

§ 2.221 Basis for county farm rationing committee determinations. (a) The county farm rationing committee shall at all times serve the objectives sought by the new farm machinery and equipment rationing program and allocate Schedule I equipment only for uses essential to the war effort and then in the order that such uses are most vital. The determination of facts in each case shall be made by the county farm rationing committee upon the basis of the application and all other information which comes to its knowledge. In acting upon applications, it shall observe all pertinent provisions of this order as originally issued and as sub-sequently amended. The county farm rationing committee may in its discretion request the applicant, or his authorized representative, to appear in person at a designated time and place to answer pertinent questions. If an applicant shall refuse to permit the county farm rationing committee or its authorized representatives to make such inspection of his farm and farm machinery and equipment as it deems necessary, his application shall be denied forthwith. The county farm rationing committee should attempt, insofar as practicable, to have before it all applications for each type of Schedule I equipment before it issues any purchase certificates for each such type of Schedule I equipment.

(b) No purchase certificate shall be issued to any applicant for any type of Schedule I equipment for which the Special War Board Assistant has announced that no quotas will be presently established, unless such applicant has filed with the county farm rationing committee the certification required by § 2.218 (b) and unless the county farm rationing committee is convinced that said certification has been made in good faith.

§ 2.222 Notation of action. When the county farm rationing committee deter-

mines that an application shall be granted, at least two members thereof shall place their initials after the word "Approved" on Form MR-20. If the county farm rationing committee determines that an application should be granted in part only, a notation showing the part granted, initialed by at least two members of the county farm rationing committee, shall be made on Form MR-20. If the county farm rationing committee determines an application should be denied, at least two members thereof shall place their initials after the word "Disapproved" on Form MR-20.

§ 2.223 Notification. After a cting upon an application, the county farm rationing committee shall notify the applicant of its decision. If the application is denied, in whole or part, the reasons therefor shall be set forth on Form MR-21. The original of such form shall be given or mailed to the applicant, and a copy shall be attached to the application, which shall be filed in alphabetical order in the office of the county farm rationing committee.

CERTIFICATES FOR PURCHASE OF SCHEDULE I EQUIPMENT

§ 2.224 Form of certificate. (a) In cases where the county farm rationing committee authorizes an applicant to purchase Schedule I equipment, it shall immediately issue to the applicant a purchase certificate for the transfer of such Schedule I equipment. The certificate shall be issued on Form MR-22. All purchase certificates shall be non-transferable. Such certificates, which shall be prepared in triplicate, shall be numbered serially and all numbers shall be accounted for and the serial number of each certificate shall be placed upon the appropriate application. The original and one copy of the certificate shall be given or mailed to the applicant and the remaining copy shall be attached to the application. Each purchase certificate shall show the date of its issuance and expiration, or any extension thereof. Each purchase certificate shall contain the agreement to be entered into between the transferor and the transferee of the Schedule I equipment described

(b) A county farm rationing committee may, before delivery to the applicant of Schedule I equipment described in a purchase certificate issued by it, cancel such purchase certificate if such committee determines that the applicant had made a misrepresentation in his application or in any other matter properly before said committee, or that the applicant will be unable to fulfill the statements and agreements made by him in his application or purchase certificate.

§ 2.225 Execution by issuing county farm rationing committee. It shall be the responsibility of the county farm rationing committee, prior to the issuance of a purchase certificate, to insert on the original and each copy thereof the information designated thereon to be filled in by the county farm rationing committee. No certificate shall be valid unless signed by at least one member of the county farm rationing committee.

§ 2.226 Action by purchaser. (a) Upon receiving the purchase certificate executed as provided in § 2.225, the applicant shall sign the purchase certificate and copy thereof, thereby executing the agreements contained therein. The applicant may then purchase the Schedule I equipment specified in the purchase certificate, at a price not in excess of the maximum price therefor established by the Office of Price Administration.

(b) The applicant shall at the time of purchase present to the dealer the original purchase certificate and copy thereof in the form in which they were given to him by the county farm rationing committee except for the addition of his signature.

§ 2.227 Expiration of purchase certificates. Transfer (including but not limited to delivery) of any Schedule I equipment authorized by a purchase certificate must be made on or before the 60th day after the date of issuance of such purchase certificate. Such date shall be known as the expiration date. Such purchase certificate shall be void if transfer (including but not limited to delivery) is not made before the expiration date and any transfer (including but not limited to delivery) made after such expiration date shall be invalid. Any person who has been granted a purchase certificate pursuant to this order may, before the expiration date, apply to the county farm rationing committee for an extension of such date. If, under all the circumstances, the county farm rationing committee determines that the expiration date should be extended, the county farm rationing committee shall extend the expiration date. An extension shall not be granted for more than 30-day period at any one time. The original and the copy of the purchase certificate must be presented to the county farm rationing committee in order that the extended expiration date may be noted thereon before any transfer (including but not limited to delivery) is made. If, after 5 days from the expiration date of any purchase certificate, the original of such purchase certificate has not been returned to the issuing county farm rationing committee, such issuing county farm rationing committee shall make inquiry of the applicant and determine whether or not transfer (including but not limited to delivery) was made pursuant to such purchase certificate before the expiration date thereof. If such transfer (including but not limited to delivery) has not been so made. the issuing county farm rationing committee shall require the applicant or the dealer, if he has possession of such purchase certificate, to return the original and copy thereof to the issuing county farm rationing committee. It shall be the duty of the county farm rationing committee, at the end of 5 days after the expiration date of a purchase certificate, to cancel upon its books such purchase certificate if the Schedule I equipment covered by such purchase certificate has not been delivered to the transferee before such expiration date. The county farm rationing committee shall make such cancellation regardless

of the return of the outstanding original and copy of said purchase certificate.

§ 2.228 Action by dealer. Upon the surrender to him of a purchase certificate and copy thereof, the dealer shall ascertain that the original and copy have been properly signed by the purchaser and shall not honor such certificate unless it and the copy are so signed. Immediately upon delivering Schedule I equipment pursuant to a purchase certificate surrendered to him, the dealer shall sign and date the certificate and copy thereof in the space provided, thereby executing the agreement contained therein, and shall thereupon mail the original of such purchase certificate to the issuing county farm rationing committee or the issuing State board. If delivery of the Schedule I equipment specified in any such purchase certificate is not made before the expiration date specified on such purchase certificate, the dealer shall, immediately following such expiration date. return the original and the copy of such purchase certificate to the issuing county farm rationing committee or the issuing State board.

APPEALS BY APPLICANTS

§ 2.229 Application for reconsideration by the county farm rationing committee. Any applicant whose application for new Schedule I equipment has been denied in whole or in part by the county farm rationing committee may, within 15 calendar days after notification of such action, request such committee, in writing, to reconsider its action on his application. Notification of the county farm rationing committee's ruling shall be given to such person within 15 calendar days after receipt of his written request for reconsideration.

§ 2.230 Appeal to State board. (a) Any applicant for Schedule I equipment who has good reason to believe that the ruling of the county farm rationing committee on his request for reconsideration is not in accordance with the provisions of this order may, within 15 calendar days after written notification of such ruling, file with the county farm rationing committee a written appeal to the State board from such ruling. The county farm rationing committee shall promptly transmit such appeal to the State board.

(b) The applicant shall include in such appeal a statement in writing, setting forth the specific reasons why he believes the action taken by the county farm rationing committee was not in accordance with this order, stating the portion or portions of this order upon which he relies, and stating in full the facts upon which his appeal is based.

§ 2.231 Action by the State board.

(a) The State board may require the county farm rationing committee or the applicant to furnish pertinent information in addition to that furnished before the county farm rationing committee with respect to the appeal pending before such board. The State board may affirm, reverse, or modify the ruling of the county farm rationing committee. The action of the State board shall in

all respects be in accordance with the

provisions of this order.

(b) The State board's decision shall be made as soon as is reasonably possible (in any event not later than 30 calendar days after the State board has received such appeal), shall be in writing, and notification thereof shall be given to the applicant and to the county farm rationing committee. If the State board reverses or modifies the ruling of the county farm rationing committee, it shall promptly mail a copy of its decision to the Special War Board Assistant, Room 3095, South Building, Department of Agriculture, Washington, D. C.

§ 2.232 Review of State board action. If an applicant has good reason to believe that the decision of the State board on his appeal is not in accordance with the provisions of this order, he may, within 15 calendar days after notification thereof, file with the State board a written petition for review by the Special War Board Assistant. The State board shall promptly transmit such petition to the Special War Board Assistant at the address set forth in § 2.231 (b) hereof. Such written petition shall be dated and signed by the applicant, shall be made under oath, and shall set forth the specific reasons why he believes the decision of the State board is not in accordance with the provisions of this order, and the portion or portions of this order upon which he relies. The Special War Board Assistant may require the furnishing of pertinent information by the applicant, the county farm rationing committee, or the State board. He may affirm, reverse, or modify the decision of the State board, and he may remand the matter to the county farm rationing committee. The decision of the Special War Board Assistant shall be in writing and shall be communicated to the applicant, to the county farm rationing committee, and to the State board, and shall be final and conclusive.

RECORDS

§ 2.233 Records to be kept by the county farm rationing committee. (a) All applications for Schedule I equipment, and papers relating thereto, received by the county farm rationing committee, shall be systematically filed in its office. Records shall be kept by the committee of such pertinent and material data as may be necessary to carry out this order or as may be required by the Special War Board Assistant. The purchase certificates returned by dealers shall be attached to the respective applications.

(b) Lists containing the names and addresses of applicants who have been granted purchase certificates and the Schedule I equipment covered by each respective certificate shall be kept freely available for public inspection in the office of the county farm rationing committee and shall be made available for publication in local newspapers.

(c) Data from all purchase certificates issued by the county farm rationing committee shall be kept for each type of Schedule I equipment on Form MR-23, Register of Nontransferable Certificates for Purchase of New Farm Machinery and Equipment.

§ 2.234 Records to be kept by dealers.
(a) Each dealer shall prepare a copy of the itemized invoice required by § 1361.5 of Maximum Price Regulation No. 133* of the Office of Price Administration and shall forward such copy of said invoice or sales check to the issuing county farm rationing committee or issuing State board, along with the original of the purchase certificate. Such invoice or sales check shall contain a separate statement of the following items:

(1) The manufacturer's suggested re-

tail price, f. o. b., factory.

(2) The charge for freight and manufacturer's handling, if any.

(3) The charge for dealer's handling, or the charge for special installation, if any.

(4) The charge for delivery beyond the

30-mile zone, if any.

(5) The amount of excise tax, if any, billed separately to the dealer by the manufacturer.

(6) The amount of sales, use, or gross receipts tax, if any, required or permitted

to be paid.

In addition such invoice or sales check shall disclose a complete description of the farm machinery and equipment, transferred pursuant to the purchase certificate, including the name of the manufacturer and the manufacturer's model number.

(b) Each dealer shall maintain a file containing the copies of all purchase certificates which are accepted by such dealer and which are issued on Form

(c) Each dealer shall make such reports, including inventories, and furnish such information as may be required from time to time by the Secretary, the Special War Board Assistant, or other persons or agencies designated herein to assist in the administration of this order.

ENFORCEMENT

§ 2.235 Criminal prosecution. (a) Any person who knowingly falsifies an application, purchase certificate, certification, or any other record included within the terms of Rationing Order C, or any amendments or supplements thereto, or who otherwise knowingly furnishes false information with regard to any matter covered by this order to a county farm rationing committee, State board or to any other agent, agency, employee, or officer of the Department of Agriculture, may, upon conviction, be fined not more than \$10,000 or be imprisoned for not more than 10 years, or both, and shall in addition be subject to the penalties therefor under any and all applicable laws.

(b) Any person who wilfully commits any act prohibited, or who wilfully fails to perform any act required, by any provision of Rationing Order C, or any amendments or supplements thereto, may, upon conviction, be fined not more than \$10,000 or be imprisoned for not more than one year, or both, and shall in addition be subject to the penalties

(c) Any person who conspires with another person to perform any of the acts described in paragraphs (a) and (b) of this section may, upon conviction, be fined not more than \$10,000, or imprisoned for not more than two years, or both, and shall in addition be subject to the penalties therefor under any and all applicable laws.

§ 2.236 Suspension orders. (a) Any person who violates any provision of Rationing Order C, or any amendment or supplement thereto, or any agreement thereunder, may by administrative suspension order be prohibited from receiving any deliveries of or selling or otherwise disposing of or using any materials now or hereafter authorized to be rationed or allocated by the Secretary, including farm machinery and equipment rationed under this order. Such suspension orders shall be issued by the Secretary, or by such persons as he may designate, and shall be effective for such period as is deemed necessary or appropriate in the public interest and to promote the security of the United States.

(b) The Special War Board Assistant may recommend to the Office of Price Administration or to the War Production Board that any person who violates any provision of Rationing Order C, or any amendment or supplement thereto, or any agreement thereunder, be denied the right to receive, use, sell, or otherwise dispose of any other materials which now or in the future may be under allocation.

§ 2.237 Other methods of enforcement. The Special War Board Assistant may also take such other action for enforcement of the provision of this order, or any amendment or supplement thereto, as he may deem necessary, including application to courts and to appropriate agencies of local, State, and Federal governments in order to invoke such powers as may be available and appropriate in connection therewith, including the power to requisition.

§ 2.238 Publicity. In the event of a refusal or failure to abide by any provision of this order, or any amendment or supplement thereto, or in the event of any evasion or attempt to evade any provisions of this order, or any amendment or supplement thereto, the Special War Board Assistant, in addition to the foregoing, will make every effort to insure that complete information concerning the same is given to the public and to the appropriate officials of local, State and Federal governments.

§ 2.239 Complaints of violations. Any person having knowledge of a violation of any provision of this order, or any amendment or supplement thereto, shall report the same to the county farm rationing committee, the State board, the Special War Board Assistant, or the Secretary. An official or employee of the office to which the report is made shall take such information as is given, securing the signature of the person so reporting, if possible, and transmit the report, together with such pertinent in-

therefor under any and all applicable laws.

a 7 F.R. 3185.

formation as may be then available, to the Special War Board Assistant through the State boards.

SCOPE AND APPLICATION OF RATIONING ORDER C

§ 2.240 Territorial limitation. Rationing Order C shall apply only within the limits of the continental United States.

TEMPORARY RATIONING ORDERS A AND B

§ 2.241 Effect on Temporary Rationing Orders A and B. Temporary Rationing Order A, as amended, and Temporary Rationing Order B, as amended, are modified and superseded by this order to the extent that any of the provisions of those orders are inconsistent with any provision of this order.

EFFECTIVE DATES

§ 2.242 Effective date of Rationing Order C. This Rationing Order C (§§ 2.201 to 2.242, inclusive) shall become effective November 28, 1942.

Done at Washington, D. C., this 21st day of November 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] GROVER B. HILL, Acting Secretary of Agriculture.

SCHEDULE I

PLANTING, SEEDING AND FERTILIZING MACHINERY

Planters, horse and tractor drawn: Two row, corn planters.
Two row, corn and cotton planters. Three row and over, corn planters. Planters, tractor mounted:

One row, corn planters. One row, corn and cotton planters. Two row, corn planters. Two row, corn and cotton planters. Three row and over, corn planters.

Three row and over, corn and cotton plant-

Potato planters, horse or tractor drawn. Transplanters, horse or tractor drawn. Listers with planting attachments, horse or tractor drawn:

One row. Two row.

Three row and over.

Listers with planting attachments, tractor mounted:

One row. Two row.

Three row and over.

Beet drills, horse or tractor drawn. Grain drills:

One horse, 3 or 5 disc drills. Fertilizer drills, horse or tractor drawn. Plain drills, horse or tractor drawn.

Fertilizer distributors, horse or tractor drawn. Lime spreaders (sowers):

Wheeled type, horse or tractor drawn. Endgate type.

Truck body type Manure spreaders:

Four wheeled, horse or tractor drawn. Two wheeled, tractor drawn.

PLOW AND LISTERS

Moldboard plows, tractor drawn or mounted: One bottom, tractor drawn. Two bottom, tractor drawn . Three bottom, tractor drawn. Four bottom, tractor drawn. One bottom, tractor mounted. Two bottom, tractor mounted.

⁴7 F.R. 7301, 7768, 8575, 8819. ⁸7 F.R. 8724, 9067, 9475.

Disc plows, tractor drawn or mounted:

One disc, tractor drawn.
Two disc, tractor drawn.
Three disc, tractor drawn.
One disc, tractor mounted.
Two disc, tractor mounted.

One way disc plows or tillers. Listers, horse or tractor drawn (Middlebusters without planting attachment): One row, horse or tractor drawn.

Two row, horse or tractor drawn.

Three row and larger, horse or tractor drawn. Listers, tractor mounted (Middlebusters

without planting attachment): One row, tractor mounted.

Two row, tractor mounted Three row and larger, tractor mounted.

HARROWS, ROLLERS, PULVERIZERS

Harrows:

Spike tooth harrow sections, horse or tractor drawn.

Spring tooth harrow sections, horse or tractor drawn.

Disc harrows, horse or tractor drawn. Disc harrows, tractor mounted. Soil pulverizers and packers. Ridge busters:

Ridge busters, horse or tractor drawn. Ridge busters, tractor mounted.

CULTIVATORS AND WEEDERS

Cultivators, horse and tractor drawn: Beet cultivator. Field cultivator. Cultivators, tractor mounted:

One row. Two row

Three and four row.

Five row and over.

Rotary hoes, horse or tractor drawn. Weeders: Rod weeders, horse or tractor drawn.

Tooth weeders, horse or tractor drawn.

SPRAYERS, DUSTERS AND ORCHARD HEATERS Power sprayers, not including engines: Traction sprayers.

Spray pumps, power.

Dusters:

Power dusters with tractor mounted dusters. Traction dusters.

HARVESTING MACHINERY

Combines, harvester-threshers: Width of cut, 8 feet and under Width of cut, over 6 feet, including 10 feet. Width of cut, over 10 feet. Grain and rice binders:

Grain binders, ground drive. Grain binders, power take-off drive.

Rice binders. Corn binders (row binder), horse or tractor Corn Pickers:

drawn. One row, mounted type. Two row, mounted type.

One row, pull type. Two row, pull type. Field ensilage harvesters, row type. Potato diggers:

Walking plow type. Horse or tractor.

Pea and bean harvesters, row type, horse or tractor.

Beet lifters, horse or tractor.

HAYING MACHINERY

Mowers, ground drive, horse or tractor drawn. Mowers, power take-off drive: Tractor mtd. or semi-mtd.

Rakes:

Sulky, dump. Side delivery, incl. comb. side rakes and

Sweep. Hay loaders

Stackers (incl. comb. sweep stackers) Pick-up hay balers.

MACHINES FOR PREPARING CROPS FOR MARKET OR USE

Stationary threshers (grain, rice and alfalfa): Threshers, width of cylinder under 28

Threshers, width of cylinder 28 inches and

Stationary pea and bean threshers.

Peanut pickers. Ensilage Cutters (silo fillers). Feed cutters, power.

Corn Shellers

Power corn shellers, cylinder (150 bu. and under).

Power corn shellers, cylinder (over 150 bu.).

Corn huskers and shredders:

Combination corn husker-shredders. Corn huskers, Corn shredders

Stationary hay balers:

Engine or belt power. Feed grinders and crushers: Power, burr type. Hammer and roughage mills.

Cleaners and graders, corn and grain. Potato sorters and graders.

FARM ELEVATORS AND BLOWERS

Elevators (portable). Elevators (stationary) Blowers (grain and forage).

Tractors, wheel type: Tractors, wheel, special purpose, under 30 h. p. Tractors, wheel, special purpose 30 and

over h. p.
Tractors, wheel, all purpose, under 30 h. p.

Tractors, wheel, all purpose, 30 and over

Garden tractors (including motor tillers).

ENGINES

Engines, one or more but under 5 h. p.: Air cooled. Water cooled.

Engines (five or more but under 10 h. p.): Air cooled. Water cooled.

FARM WAGONS AND TRUCKS

Wagons, farm without boxes Trucks, farm (not motortrucks).

DOMESTIC WATER SYSTEMS

Deep well: Deep well, reciprocal. Deep well, jet pumps. Shallow well:

250-499 gals, per hour.
500 gals, per hour and over.
Power pumps: Horizontal type, up to and including 75 gals, per minute, 100 lb. pres-

PARM PUMPS AND WINDMILLS

Windmill heads. Windmill pumps. Windmill towers. Pump jacks.

IRRIGATION EQUIPMENT

Irrigation pumps:

Turbine pumps, 0 to 1,200 GPM. Turbine pumps, 1,200 GPM and up, belt driven.

Centrifugal pumps. Hydraulic rams.

Distribution equipment:

Land leveling equipment, ditchers, cor-rugators and scrapers (excluding power ditchers, draglines and other self-powered machines)

Portable pipe, extensions, and sprinklers.

DAIRY FARM MACHINES AND EQUIPMENT

Milking machines.

Farm cream separators capacity, 250 lbs. per hr. or less.

Farm cream separators, capacity 251 lbs. to 800 lbs. per hour.

Farm milk coolers: Immersion type. Surface or tubular type. Metal milk cans and covers.

FARM FENCING

Barbed wire. Poultry netting. Poultry flooring. Woven or welded wire fence: Hog and cattle fence. Poultry fence.

SCHEDULE II

PLANTING, SEEDING AND FERTILIZING MACHINERY

Planters, horse and tractor drawn:

One row, one horse corn planters One row, one horse corn and cotton planters.

Ole row, two horse corn and cotton planters

Broadcast Seeders: Endgate.

Garden Planters: Horse or tractor drawn.

PLOW AND LISTERS

Moldboard Plows, horse drawn: Walking, one horse, steel bottom. Walking, one horse, chilled bottom. Walking, two horse and larger.

ROLLERS AND STALK CUTTERS

Stalk cutters.

CULTIVATORS AND WEEDERS

Cultivators, horse drawn: One horse, all types. One row, walking, two horse. One row, riding, two horse. Two row and over, riding.

[F. R. Doc. 42-12279; Filed, November 23, 1942; 10:52 a. m.]

Chapter I-Agricultural Marketing Administration

PART 31-WOOL STANDARDS

DISTRIBUTION OF PRACTICAL FORMS FOR WOOL STANDARDS

By virtue of the authority vested in the Secretary of Agriculture by law (Sec. 19, 39 Stat. 489, 45 Stat. 593, 55 Stat. 408; 7 U.S.C. 1940 ed. 257, 415a-415d), the following amendments to Title 7, Chapter I, Part 31. Code of Federal Regulations (7 CFR and 1939 Supp., Chapter I, Part 31, as amended by 7 F.R. 6802) are promulgated, effective immediately.

Section 31.51 is amended to read:

§ 31.51 Practical forms; method of obtaining; conditions. (a) Practical forms of the official standards of the United States for grades of wool, namely:

Complete set: Grades 80's, or Fine, to 36's, or Braid, inclusive, mounted, 12 specimens.

Partial set: Grades Fine to Braid, inclusive, mounted, 7 specimens;

certified under the seal of the United States Department of Agriculture and signed by the Administrator of the Agricultural Marketing Administration or other official duly authorized by him, will be furnished, subject to the other conditions of this Section, upon filing of an approved application and prepayment of costs thereof as fixed by § 31.52.

(b) Each application for practical forms of the official wool standards shall be upon a blank furnished or approved by the Agricultural Marketing Administration, shall be signed by the applicant, and shall be accompanied by certified check, draft, post office money order, or express money order, payable to the "Treasurer of the United States," in an amount to cover the cost of the forms requested, and shall incorporate the following conditions:

(1) That no practical form of the official wool standards shall be considered or used as representing such standards after cancellation in accordance with this section, or after the expiration of 3 years following date of certification unless the Administrator of the Agricultural Marketing Administration has extended said period with respect to the practical forms furnished under such application, or after any subsequent revision of such standards.

(2) That the said practical forms shall be subject to inspection on any business day, between the hours of 9 a.m. and 4 p. m., by the Secretary or by any duly authorized officer or agent of the Department of Agriculture.

(3) That the certificate covering any practical form may be revoked and canceled if it is found upon such inspection that the said practical form is not representative of the official standards.

Section 31.52 is amended to read:

§ 31.52 Cost of practical forms: Complete set: \$10.00 each, f. o. b. Washington, D. C., for shipment within the continental United States, and \$12.00 each, delivered to destination, for shipment outside the continental United States.

Partial set: \$5.00 each, f. o. b. Washington, D. C., for shipment within the continental United States, and \$7.00 each, delivered to destination, for shipment outside the continental United States.

Section 31.53 is amended to read:

§ 31.53 Loaning of practical forms. In the discretion of the Administrator of the Agricultural Marketing Administration, limited numbers of copies of the practical forms of the official standards or samples or specially prepared exhibits illustrating such standards, may be loaned to governmental agencies for official purposes or to educational and other institutions or organizations for demonstration purposes.

The Rules and Regulations for the distribution of practical forms of wool standards are further amended by adding the following new section:

§ 31.54 Determination of grade. The determination of the grade of wool according to the Official Standards of the United States for Grades of Wool shall be by (1) inspection, for grades 80's, or fine, to 36's, or braid, inclusive, or (2) measurement, for grades 80's to 50's, inclusive, in accordance with methods prescribed by the Administrator of the Agricultural Marketing Administration.

Done at Washington, D. C., this 20th day of November 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CLAUDE R. WICKARD, Secretary of Agriculture.

[F. R. Doc. 42-12277; Filed, November 23, 1942; 10:53 a. m.]

PART 31-WOOL STANDARDS

DISTRIBUTION OF PRACTICAL FORMS FOR WOOL TOP STANDARDS

By virtue of the authority vested in the Secretary of Agriculture by law (Sec. 19, 39 Stat. 489, 45 Stat. 593, 55 Stat. 408; 7 U.S.C. 1940 ed. 257; 415a-415d), the following amendments to Title 7. Chapter I, Part 31, Code of Federal Regulations (7 CFR and 1939 Supp., Chapter I, Part 31, as amended by 7 F.R. 6802) are promulgated, effective immediately,

Section 31.151 (a) is amended by striking out the words "under the signature of the Secretary of Agriculture, thereto affixed by himself or by some other official or employee of the Department thereunto duly authorized by him, will be furnished to any person, upon prepayment of the cost thereof as determined by the Secretary, subject to other conditions of this section" and inserting in lieu thereof the words "signed by the Administrator of the Agricultural Marketing Administration or other official duly authorized by him, will be furnished, subject to the other conditions of this section, upon filing of an approved application and prepayment of

costs thereof as fixed by § 31.152".

Section 31.151 (b) (1) is amended by inserting after the word "certification" the words "unless the Administrator of the Agricultural Marketing Administration has extended said period with respect to the practical forms furnished under such application".

Done at Washington, D. C., this 20th day of November 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CLAUDE R. WICKARD, Secretary of Agriculture.

[F. R. Doc. 42-12278; Filed, November 23, 1942; 10:53 a. m.]

Chapter VII-Agricultural Adjustment Agency

[Bulletin NSCP-701]

PART 706-NAVAL STORES CONSERVATION PROGRAM 1

SURPART E-1943

706.401 Authority and availability of funds. 706 402 Definition of terms. 706.403 Duration of program.

¹ For the information of producers of gum For the information of producers of gum naval stores in North Carolina, South Caro-lina, Georgia, Florida, Alabama, Mississippi, Louisiana, and Texas. This bulletin explains the procedure to be followed in order to qual-ify for payments under the Naval Stores Con-servation Program for 1942. servation Program for 1943.

706.404 Kind of payments.

Conditions of payment; perform-706.405 ance required.

706.406 Excess cotton acreage.

706.407 Rates of payment and further conditions.

706.408 Application and eligibility for payment

706.409 Administration.

AUTHORITY: §§706.401 to 706.409 issued under the authority contained in sections 7 to 17, as amended, 49 Stat. 1148, 1915; 50 Stat. 329; 52 Stat. 31, 204, 205, 746; 53 Stat. 550, 573; 16 U. S. C. 590g-490q.

§ 706.401 Authority and availability of funds. Pursuant to the authority vested in the Secretary of Agriculture under section 8 of the Soil Conservation and Domestic Allotment Act, as amended, and in connection with the effectuation of the purposes of section 7 (a) of said Act in 1943, payments will be made for participation in the 1943 Naval Stores Conservation Program in accordance with the provisions of this bulletin and such modifications thereof or other provisions as may hereafter be made.

The provisions of the 1943 Naval Stores Conservation Program are necessarily subject to such legislation affecting said program as the Congress of the United States may hereafter enact; the making of the payments herein provided for is contingent upon such appropriation as the Congress may hereafter provide for such purpose; and the amounts of such payments will be finally determined by such appropriation and by the extent of participation in the program. Any increase or decrease in the rates of payments and deduction set forth herein because of the extent of participation in the program will not be in excess of 10 percent.

706.402 Definition of terms-(a) Turpentine farm. The land and turpentine timber owned or leased, or operated on a sharecrop basis, and under one management and in one general locality, which is being operated for the production of gum naval stores.

(b) Gum naval stores. Crude gum (oleoresin), gum turpentine, and gum rosin produced from living trees. Gum naval stores does not include naval stores produced from dead timber, stumps,

knots, etc.

(c) Producer. Any person or persons, firm, partnership, corporation, or other business enterprise, doing business as a single legal entity and producing gum naval stores from timber controlled for turpentine purposes through fee ownership, cash lease, percentage lease, share lease, or other form of control.

(d) Face. The whole wound or aggregate of streaks made by chipping. streaking, or pulling the live tree to stimulate the flow of crude gum (oleoresin), hereinafter referred to as gum.

(e) Cup. A container made of metal, clay, or other material hung on or below the face to accumulate the flow of

(f) Tins. The gutters or aprons, made of sheet metal or other material, used to aid in conducting the gum from a face into a cup.

(g) Crop. 10,000 faces.

(h) Drift or tract. A portion or subdivision of a crop set apart for convenience of operation.

(i) D. b. h. Diameter breast height; i. e., diameter of tree measured at 41/2

feet from the ground.

(j) Turpentine season. The entire calendar year or, if a turpentine farm is operated less than the full calendar year, that period within the calendar year during which a producer is operating his farm for the production of gum naval stores.

(k) Application. The prescribed form of application for payment for cooperating in the 1943 Naval Stores Conservation Program (hereinafter referred to as this program).

§ 706.403 Duration of program. The period during which this program is to be in effect is the period January 1 to

December 31, 1943, inclusive.

§ 706.404 Kind of payments. Payment will be made, at the rates and subject to the conditions set forth in § 706.407, to producers who in 1943 carry out the approved practices set forth in 706.405 with respect to turpentine farms currently being worked in 1943. beginning such cooperation within time limits to be established by the Forest Service of the United States Department of Agriculture (hereinafter referred to as the Forest Service) as appropriate and practicable time limits necessary to afford full opportunity to producers to cooperate in this program and to obtain a full measure of compliance with the objectives of this program.

§ 706.405 Conditions of payment; performance required. In order to qualify for payment, producers shall meet the following requirements:

(a) Working small trees prohibited. No face (either old or new) shall be worked during the 1943 turpentine season on any tree less than 9 inches d.b.h. on any turpentine farm or farms owned, leased, or worked by the applicant producer.

(b) Only one face permitted on trees under 14 inches diameter. No trees that is less than 14 inches d.b.h. shall have more than one face worked during the 1943 turpentine season on any turpentine farm or farms owned, leased, or worked by the applicant producer.

(c) Virgin faces on trees 9 inches or larger eligible for payment. Payment will be made on all virgin faces worked, either owned or leased, by the applicant producer if all such virgin faces are on trees 9 inches d. b. h. or larger.

(d) Working quotas. For this program there will be no recognition of "base" as it was used in any previous program; and therefore no limitation resulting from "base" provisions as to the number of faces a producer may work. A producer may work any number of faces under this program, provided that all faces so worked conform to the performance requirements outlined in the other paragraphs of this section.

(e) Written evidence of leases required. Any producer who acquires faces through a new lease or the renewal of an expiring lease must present to the Forest Service satisfactory proof in writing of such a transaction.

(f) Restrictions concerning non-participating operations. Any producer otherwise participating in this program who permits his labor to operate timber which he owns or controls and cannot operate and remain eligible for participation under the terms of this program, or who assists in any manner in the oper-. ation of such timber or the sale or processing of the gum therefrom, either directly or through a relative or employee or through any member, officer, or employee of any partnership, corporation, or other business enterprise in which he has any interest or with which he has any connection, or in any other manner whatsoever, shall not be eligible to receive any benefit payment under this program.

(g) Faces installed on small trees in 1941 and 1942 not eligible for payment. As in previous programs, participants in this program will be paid for the removal of faces on trees under 5 inches d. b. h. and on trees between 9 and 14 inches d. b. h. as required by paragraphs (a) and (b) of this section, if the cups on such trees were installed during the 1939 or 1940 turpentine season. As nounced in the 1941 and 1942 bulletins, no payment will be made for the removal of faces that were installed during the 1941 and 1942 seasons on trees under 9 inches d. b. h. and on trees between 9 and 14 inches d. b. h.; and in the event of a Naval Stores Conservation Program for 1944 no payment will be made on such faces installed in 1943.

(h) Payment on discontinued faces limited to small trees. Payment on discontinued faces shall be limited to those removed from small trees as required by paragraphs (a) and (b) of this section, provided such removed faces are located in drifts that contain working faces which are continued in operation.

(i) Cups and tins must be detached from small trees. Cups and tins must be detached from those faces removed from operation on trees under 9 inches d. b. h. or between 9 and 14 inches d. b. h., but need not be removed from the area.

(j) Limitation of working area on faces. Total streaks per face made during the period of this program, averaged by drifts or tracts, shall not exceed 24 inches in vertical measurement between shoulders of first streak and shoulders of last streak.

(k) Minimum number of streaks required. Payment shall not be made on faces in production which do not average, by drifts or tracts, at least 12 streaks for the 1943 turpentine season, which streaks shall have been made at no greater frequency than two streaks per

(1) Over 90-inch faces not eligible for payment. Payment shall not be made on working faces or on faces required to be removed by paragraphs (a) and (b) of this section in any drift or tract where the average height of faces exceeds 90 inches at the beginning of the 1943 turpentine season, in vertical measurement between shoulders of first streak and shoulders of last streak, including jump

(m) Repayment for faces removed from small trees. Payment shall not be made on faces taken out, or remaining out, of production pursuant to the provisions of paragraphs (a), (b), and (g) of this section in any drift or tract unless (1) such faces were discontinued under the 1940 program or a later program and have been kept out of production continuously since removal from production and (2) also the cups on all such faces were installed during the 1939 or 1940 turpentine season and such faces are under the producer's control for turpentine purposes throughout this program.

(n) Chemical application to faces on experimental tracts. Additional benefit payments, intended to partly compensate for extra supervision and records and to induce cooperation, will be made to a few participating producers (selected in advance by the Forest Service from volunteer applicants in areas where frequent observation is economical) for the experimental application of chemical stimulants to a portion (not in excess of approximately one crop) of the faces worked by the producer if the experiment is carried out in accordance with conditions prescribed by the Forest Service.

(o) Bark-bar requirement: No tree shall have any new (first-year) back face unless a bark-bar on each side of the back face is provided and maintained throughout the 1943 turpentine season, the total of the two being not less than 7 inches in width, measured horizontally along the bark surface: Provided, however, That the restriction with respect to the width of the bark-bar shall not apply to any tree which has on it two or more old faces.

(p) Consolidation of farms. Any person having part ownership and control of more than one turpentine farm shall have the right and privilege of consolidating two or more such farms for the purpose of carrying into effect the provisions of this program.

(q) Only participants eligible for loans. In the event of a loan program being set up for producers during 1943, only those producers who are participating in this program will be eligible for loans except as provided in paragraph (r) of this section.

(r) Operators on public domain not eligible for payments. The provisions of this program are not applicable to producers on such portion of their operations as may be within the public domain of the United States, including the lands and timber owned by the United States which were acquired or reserved for conservation purposes or which are to be retained permanently under Government ownership (such lands include, but are not limited to, lands owned by the United States which are administered by the Forest Service or the Soil Conservation Service of the United States Department of Agriculture, or by the Division of Grazing or the Bureau of Biological Survey of the United States Department of the Interior): Provided, however, That such producers shall have the privilege of borrowing under any loan program for naval stores producers which may be in operation during 1943.

This program is applicable to lands owned by corporations which are only partly owned by the United State, such as Federal Land Banks and Production Credit Associations.

This program is also applicable to land owned by the United States or by corporations wholly owned by the United States which is farmed by private persons if such land is to be temporarily under such Government or corporation ownership and was not acquired or reserved for conservation purposes. Such land shall include only that administered by the Farm Security Administration, the Reconstruction Finance Corporation, the Home Owners' Loan Corporation, or the Federal Farm Mortgage Corporation, unless the Forest Service finds that land administered by any other agency complies with all of the foregoing provisions for eligibility.

(s) Fire protection requirements. The applicant producer shall to the best of his ability protect from fire all forest land of any kind within each turpentine farm owned, leased, or otherwise controlled by him for the duration of this program, and in doing so shall cooperate with the State and Federal Governments in any cooperative forest fire protective system that exists contiguous to his turpentine farm or within the area within which such farm is situated: Provided, That the producer shall not be required to pay the cost of fire protection on land not owned by him unless so stipulated in the terms of his lease. He shall, however, conduct his operations in all cases in such manner as will prevent fire escaping to adjoining forest lands. whether protected or not.

(t) Timber cutting requirements. The applicant producer, in order to provide for restocking and to promote continued production of timber upon which the naval stores, pulp and paper, lumber, and other wood-using industries are dependent, shall, in any and all cutting of timber during the calendar year 1943, which is owned by him or is on land owned by him, meet or exceed the following minimum requirements:

(1) In cutting operations within turpentine stands, all worked-out turpentine, defective turpentine, and nonturpentine trees may be cut, provided at least 6 thrifty seed trees of turpentine species per acre, 8 inches or more in diameter, outside bark, at the stump (12 inches above the ground), are left uncut and undamaged, or provided sufficient young growth of turpentine species (at least 150 trees per acre not less than 6 to 8 feet high) is left uncut and undamaged; no round turpentine trees, except such as are defective or where thinnings are needed, shall be cut; necessary thinnings may be made, but in such case there shall be left uncut and undamaged not less than 50 trees of turpentine species per acre at least 6 to 9 inches in diameter, outside bark, at the stump (12 inches above the ground). A turpentine stand is a stand of predominantly longleaf and/or slash pine, containing sufficient trees of these species to justify use for the production of gum.

(2) In pine timber cutting operations on non-turpentine stands, at least 4 thrifty seed trees per acre, 8 inches or more in diameter, outside bark, at the stump (12 inches above the ground) shall be left uncut and undamaged unless sufficient young growth (at least 150 trees per acre not less than 6 to 8 feet high) is left uncut and undamaged. A non-turpentine stand is a stand of predominantly non-turpentine species containing too few longleaf and/or slash pines to justify gum production.

Payment on working faces or removed faces shall not be made if the tree having such face or faces is cut or removed prior to the expiration of this program; Provided, however, That trees having faces which attain a height in excess of 90 inches during the 1943 season may be cut after October 15, 1943, and payment will be made for such faces if written permission to cut is given by a District Supervisor of the Forest Service.

(u) Records required to facilitate administration of program. Each applicant producer in measuring his trees to determine those to be worked under this program shall make an accurate count, by drifts, lots, or other suitable units, of all such faces and shall separately account for those located on fee land and those on leased lands; and he shall make and keep a written record thereof and furnish such record to the Forest Service, together with a description of the lands. Each producer who files a work sheet shall assist the representatives of the Forest Service in the administration of this program by giving them free access to his turpentine farm, indicating the location of trees and face; recorded on the work sheet, furnishing competent labor to assist the inspector in counting trees, and otherwise facilitating the work of the inspectors in checking compliance with the terms and conditions of this program. All drifts or tracts must be clearly marked either by paint or non-injurious blazes, so that drift or tract lines can be traced in the field without a guide. Any producer participating in this program is required to notify the Forest Service promptly in writing after the work sheet has been filed (1) if there is any change in ownership or control, (2) if there is any transfer, expiration, or sale of lease, and (3) at least 10 days in advance if any timber on the turpentine farm is to be

§ 706.406 Excess cotton acreage. (a) Any person who makes application for payment with respect to any turpentine farm located in a county in which cotton is planted in 1943 shall certify in his Certificate of Performance and Application for Payment that he has not knowingly planted cotton, or caused cotton to be planted, during 1943, on land in any farm wherever situated, in which he has an interest, in excess of the cotton acreage allotment for the farm for 1943, and that if cotton was planted in excess of such allotment it was done without his authority or consent and, if he had knowledge thereof, he made every reasonable effort to prevent such overplanting.

(b) Any person who knowingly plants cotton, or causes cotton to be planted, on his farm in 1943 on acreage in excess of the cotton acreage allotment for the farm for 1943 shall not be eligible for any payment whatsoever, on that farm, on his turpentine farm or any other farm, for the year 1943 under this program or the Agricultural Conservation Program. For further details, see the 1943 Agricultural Conservation Program Bulletin and the instructions issued thereunder.

§ 706.407 Rates of payment and further conditions—(a) Rates of payment. In connection with the utilization, during the period of this program, of land devoted to growing trees suitable for or used in the production of gum naval stores, on all turpentine farms operated in accordance with the conditions set forth in this bulletin, payment will be made to each participating producer at the following rates:

(1) 134 cents per face for each face in continuous operation during the 1943 turpentine season, except faces in drifts or tracts which, by drifts or tracts, average more than 90 inches in height at the beginning of the 1943 turpentine season

(2) 3 cents additional per face for each face in the selected areas on which chemical stimulation experiments are conducted as prescribed under § 706.405 (n).

(3) 5 cents per face for any one face of one or more faces on trees less than 9 inches d. b. h. and for any one face of two or more faces on trees 9 to 14 inches d. b. h., which are removed from operation during the 1943 turpentine season, or which were taken out of operation during the 1940 or a later program and kept out of operation during succeeding programs, including this program, for which payment was made in a previous program, and which were first installed during or after the 1939 turpentine season

(b) Payments limited to \$10,000. The total of all payments made in connection with all programs for 1943 under section 8 of the Soil Conservation and Domestic Allotment Act to any individual, partnership, or estate, with respect to turpentine places, farms, and ranching units, situated within a single State, Territory, or possession, shall not exceed the sum of \$10,000, prior to deduction for association or other administrative expenses in the county or counties or other areas with respect to which the particular payments are made. The total of all payments made in connection with such programs to any person other than an individual, partnership, or estate, with respect to turpentine places, farms, and ranching units situated in the United States (including Alaska, Hawaii, and Puerto Rico), shall not exceed the sum of \$10,000 prior to the aforesaid deduction.

(c) Payment restricted t. effectuation of purposes of this program. All or any part of any payment which has been or otherwise would be made to any person under this program may be withheld or required to be returned if he adopts or

has adopted any practice which tends to defeat any of the purposes of this or any previous program, including the loan program, if any, or if, by means of any corporation, partnership, estate, trust, or any other device, or in any manner whatsoever, he has offset, or participated in offsetting, in whole or in part, the performance for which such payment is otherwise authorized, or if, with respect to grazing land, forest land, or woodland owned or controlled by him, he adopts or has adopted any practice which is contrary to sound conservation practices.

Any person who, for any part or all of the 1943 turpentine season, leases any turpentine timber owned or controlled by him, or transfers his lease on any turpentine timber, or sells his turpentine timber, to another person who he knows or has good reason to believe will not carry out all sound conservation practices throughout the 1943 turpentine season on such turpentine timber shall not be eligible to receive any payment whatsoever under this program or to receive under the 1943 Agricultural Conservation Program any payment with respect to the farm in which such turpentine timber was embraced.

(d) Increase in small payments. The total payment computed for any producer with respect to his turpentine farm shall be increased as follows:

(1) Any payment amounting to 71 cents or less shall be increased to \$1.00;

(2) Any payment amounting to more than 71 cents but less than \$1.00 shall be increased by 40 percent;

(3) Any payment amounting to \$1.00 or more shall be increased in accordance with the following schedule:

Amount of payment computed	Increase in payment
\$1.00 to \$1.99	\$0,40
\$2.00 to \$2.99	0, 80
\$3.00 to \$3.99	1.20
\$4.00 to \$4.09	
\$5.00 to \$5.99	2,00
\$6.00 to \$6.99	2.40
\$7.00 to \$7.99	2,80
\$8.00 to \$8.99	3, 20
\$9.00 to \$9.99	3, 60
\$10.00 to \$10.99	4.00
\$11.00 to \$11.99	4, 40
\$12.00 to \$12.99	4.80
\$13.00 to \$13.99	5, 20
\$14.00 to \$14.99	5,60
\$15.00 to \$15.99	6.00
\$16.00 to \$16.99	6, 40
\$17.00 to \$17.99	6.80
\$18.00 to \$18.99	7. 20
\$19.00 to \$19.99	7.60
\$20.00 to \$20.99	8.00
\$21.00 to \$21.99.	8, 20
\$22.00 to \$22.99	8, 40
\$23.00 to \$23.99	8.60
\$24.00 to \$24.99	8, 80 9, 00
\$25.00 to \$25.99	9.00
\$26.00 to \$26.99	
\$27.00 to \$27.99	9, 60
\$28,00 to \$28,99 \$29,00 to \$29,99	
\$30,00 to \$30,99	10.00
\$31.00 to \$31.99	10. 20
\$32.00 to \$32.99	10, 40
\$33.00 to \$33.99	10.60
\$34,00 to \$34.99	10.80
\$35.00 to \$35.99	11, 00
\$36,00 to \$36,09	11. 20
\$37.00 to \$37.99	11, 40
\$38.00 to \$38.99	11,60
\$39.00 to \$39.99	11.80
\$40.00 to \$40.99	12,00
\$41.00 to \$41.99	12.10
\$42.00 to \$42.99	12. 20
\$43.00 to \$43.99	12.30
\$44.00 to \$44.99	12.40
\$45.00 to \$45.99	12.50
\$46.00 to \$46.99	12.60
\$47.00 to \$47.99	12.70

Amount of payment computed	Increase in payment
\$48.00 to \$48.00 \$49.00 to \$49.90 \$40.00 to \$49.90 \$50.00 to \$50.90 \$51.00 to \$51.99 \$52.00 to \$52.99 \$53.00 to \$53.90 \$54.00 to \$55.90 \$56.00 to \$55.90 \$56.00 to \$56.90 \$58.00 to \$57.90 \$58.00 to \$57.90 \$58.00 to \$59.90 \$50.00 to \$59.90 \$50.00 to \$59.90 \$50.00 to \$59.90 \$50.00 to \$59.90	\$12.80 12.90 13.00 13.10 13.20 13.30 13.36 13.36 13.56 13.76 13.80 14.00

¹Increase to \$200. ²No increase.

(e) Administrative expenses. There shall be deducted from the payments to each applicant producer his pro rata share of all or such part as the Secretary of Agriculture may prescribe of the estimated expenses incurred or to be incurred in the administration of this program.

§ 706.408 Application and cligibility for payment—(a) Filing of work sheet and application. Payments will be made upon the basis of facts established in an application for payment properly executed on Form NSCP-703 and filed with a district or regional office of the Forest Service. Each person filing an application for payment will be required to show that a work sheet has been properly executed and timely filed covering each turpentine farm owned, leased, or otherwise controlled, and being operated by him, with respect to which an application for payment is filed.

An application for payment may be made by any producer who is actively engaged in the production of gum naval stores during the 1943 turpentine season.

(b) Time limit for filing work sheets and applications. Work sheets and applications shall be filed in the manner prescribed and within time limits established by the Forest Service as affording reasonable opportunity to producers to participate in the benefits of this program and keeping the administrative costs within the budget and as low as reasonably may be reached.

(c) Producer eligible for payments. Payment will be made to the producer who operates the turpentine farm and who executes the application for payment. In the event one producer conducts the operation of a turpentine farm during a portion of the 1943 turpentine season and another producer conducts the operation of the turpentine farm during the remainder of the season, payment will be made to the producer who last conducts the operation of the turpentine farm during the season: Provided, however, That, in the event of a mutual agreement between the original producer and the successor-producer, payments shall be divided between such producers on the basis of such mutual agreement as evidenced by their joint application.

(d) Time of payment. Payment will be made as soon as practicable after a final field inspection of the turpentine

farm on which a work sheet has been filed and after an application for payment has been filed with respect to such farm.

(e) Assignments. In order to carry out the provisions of section 8 (g) of the Soil Conservation and Domestic Allotment Act, as amended, and as modified by the last proviso to the item entitled "Conservation and Use of Agricultural Land Resources, Department of Agriculture" contained in the Department of Agriculture Appropriation Act, 1939:

Any producer who may be entitled to any payment in connection with the 1943 Naval Stores Conservation Program may assign his interest in such payment, in whole or in part, as security for cash loaned or advances made for the purpose of financing the making of a crop in 1943. No such assignment will be recognized unless the assignment is made in writing on Form ACP-69-Revised in accordance with the instructions (ACP-70 as amended), witnessed, however, by a district supervisor or an inspector of the Forest Service and filed with the Regional Office of the Forest Service, Atlanta, Georgia, or with the office of the appropriate district supervisor of the Forest Service located at Jacksonville, Florida; Savannah, Georgia; or Pensacola, Florida; nor unless such assignment is entitled to priority as determined under the instructions governing the recording of such assignments issued by the Agricultural Adjustment Agency.

The foregoing provisions shall not be construed to give an assignee a right to any payment other than that to which the producer is entitled, and the statute provides that the Secretary of Agriculture and any disbursing agent shall not be subject to any suit or liability if the payment is made to the producer without regard to the existence of any

assignment.

§ 706.409 Administration. The Forest Service shall have charge of the administration of this program and is hereby authorized to make such determinations and to prepare and issue such bulletins, instructions, and forms as may be required to administer this program pursuant to the provisions hereof; and the field work shall be administered by the Forest Service through the office of the Regional Forester, United States Forest Service, Glenn Building, Atlanta, Georgia.

Done at Washington, D. C., this 20th day of November 1942. Witness my hand and the seal of the Department of Agriculture.

GROVER B. HILL, Assistant Secretary of Agriculture.

[F.R. Doc. 42-12247; Filed, November 21, 1942; 11:57 a. m.]

TITLE 10-ARMY: WAR DEPARTMENT

Chapter V-Military Reservations and National Cemeteries

PART 55-MOTION PICTURE SERVICE

Section 55.8 (a) (1) (2) and (3) 1 is rescinded and the following substituted therefor:

17 F.R. 7959.

§ 55.8 Coupon books-(a) Sale. Coupon books will be sold at the theater or at such other places on the post as the commanding officer may designate, at the price announced by the War Department. Coupon books are sold at a considerable discount which is warranted only under certain conditions surrounding their use as outlined in these regulations with the provisions of which prospective purchasers should be made acquainted. Coupon books will be sold with a clear understanding that they are not transferable and are subject to confiscation if presented by other than the person to whom they were sold. The intent of this requirement is to prevent the purchase of books for the sole purpose of their resale and not to prevent the use by members of a family of a coupon book purchased by one member thereof. (R.S. 161; 5 U.S.C. 22) [Par. 25b. AR 210-390, July 10, 1942, as amended by C3, Nov. 1, 1942]

[SEAL]

J. A. ULIO. Major General. The Adjutant General.

[F. R. Doc. 42-12170; Filed, November 20, 1942; 1:31 p. m.]

Chapter VII-Personnel

PART 79-PRESCRIBED SERVICE UNIFORM

CONTRACT SURGEONS

Section 79.25 (a) (11) is hereby added as follows:

§ 79.25 Insignia of grade—(a) Officers. * *

(11) Contract surgeons. Same as for first lieutenants. (R.S. 1296; 10 U.S.C. 1391) [Par. 25a, AR 600-35, Nov. 10, 1941, as amended by C5, Nov. 6, 1942]

ISEAT.

J. A. ULIO. Major General, The Adjutant General.

[F.R. Doc. 42-12171; Filed, November 20, 1942; 1:31 p. m.]

PART 79b-WOMEN'S ARMY AUXILIARY CORPS

ORDERS AUTHORIZING ASSIGNMENT TO DUTY, ETC.

Section 79b.41 is hereby amended to read as follows:

§ 79b.4 Orders. Orders authorizing assignment to duty, transfer, or other changes in status of individuals of the WAAC, except for detached service as set forth in WAAC regulations, will be issued by the Adjutant General upon request of the Director. Orders for detached service will be issued by the headquarters authorized to issue such orders for Army personnel at stations where WAAC personnel are assigned. (Act of May 14, 1942, Public Law 554, 77th Congress) [Par. 10. Women's Army Auxiliary Corps Regulations (Tentative) May

17 F.R. 4819.

28, 1942, as amended by WAAC Cir. 14. Nov. 4, 1942]

[SEAL]

J. A. ULIO, Major General, The Adjutant General.

[F.R. Doc. 42-12168; Fil. d, November 20, 1942; 1: 30 p. m.]

Chapter VIII-Procurement and Disposal of Equipment and Supplies

PART 81-PROCUREMENT OF MILITARY SUPPLIES AND ANIMALS

The following sections of War Department Procurement Regulations dated September 5, 1942, as amended, published in the Federal Register, October 13, 1942, 7 F.R. 8082, and November 13, 1942, 7 F.R. 9268, are hereby further amended as follows:

Sections 81.105, 81.202, 81.204, 81.205c, 81.206, 81.324 (a) and (b), 81.342 (a) and (b) are amended; §§ 81.202 (b) and (c), 81.205 (d), 81.207, 81.208, 81.324 (c), 81.905 (f), 81.968-81.974, and 81.1401-81.1428 are added; § 81.967 (d) is rescinded, and §§ 81.205 (d), (e), and (f) are redesignated (e), (f), and (g) respectively, the redesignated paragraph (f) being amended.

Figures to the right of the decimal point in section numbers correspond with paragraph numbers in procurement regulations.

AUTHORITY: Sec. 5a, National Defense Act, as amended, 41 Stat. 764, 54 Stat. 1225; 10 U. S. C. 1193-1195, and the First War Powers 1941, 55 Stat. 836; 50 U. S. C. Sup. 601-622

§ 81.105 Contents. The following is a list of the current procurement regulations:

PR No. 1. General Instructions [¶ 101-119] (\$\$ 81.101-81.119)

PR No. 2. Negotiated Purchases [¶ 201-208.2] (§§ 81.201-81.208)
PR No. 3. Contracts. [¶ 301-360] (§§

81.301-81.360)
PR No. 4. Bonds and Insurance [¶ 401-427] (§§ 81.401-81.427) PR No. 5. Foreign Purchases [¶ 501-508.2]

(§§ 81.501-81.508) PR No. 6. Procurement and Purchase of

PR No. 6. Proteinent and Futchase of Supplies [¶ 601–612] (§§ 81.601–81.612) PR No. 7. Disposition of Personal Property [¶ 701–717.4] (§§ 81.701–81.717) PR No. 8. Federal, State and Local Taxes

[1801-817.3] (\$\$81.801-81.817) PR No. 9. Labor [1901-974] (\$\$81.901-81.974)

PR No. 10. Emergency Plant Facilities [§ 1001-1017] (§§ 81.1001-81.1017) PD No. 11. Miscellaneous Purchase In-

PR No. 12. Renegotiation and Price Adjustment [¶ 1201-1213] (§§ 81.1201-81.1213) PR No. 13. Forms of Contracts [¶ 1301-1312; 1321-1326] (§§ 81.1301-81.1312; §§

81.1321-81.1326) PR No. 14. Requisitioning of Personal Property [¶ 1401-1428] (§§ 81.1401-81.1428) Appendix I Assignment of Procurement Responsibility and Purchase Responsibility.

NEGOTIATED PURCHASES

§ 81.202 Definitions. (a) The term "negotiated purchases" as used in these procurement regulations includes all purchases which are not made as a result of formal advertising in accordance with section 3709, Revised Statutes. Negotiated purchases may be made not only by face to face dealings, but also

by securing informal written bids or telephone quotations. However, where such bids or quotations are requested, the request therefor should clearly indicate that the service is proceeding under the negotiating power of Public No. 354, First War Powers Act. 1941.

(b) A purchase action is any transaction (including all types of awards) obligating government funds. A transaction, in this case, includes transactions with any individual, firm, corporation or governmental agency outside of the jurisdiction of the War Department. execution of a letter of intent is to be regarded as a purchase action unless the undertaking contained therein is conditioned upon funds becoming available, and hence does not obligate government funds (See for example, the letter of intent which was the subject of the decision of the Comptroller General issued under date of December 22, 1941; B-21673).

(c) The term "service" as used in this procurement regulation, includes all Supply Services, Services of Supply; the Matériel Command, Army Air Forces; all Service Commands, Services of Supply; Special Services, Services of Supply; Administrative Services, Services of Supply.

§ 81.204 General policy. (a) Except as indicated in paragraph (b) below, all contracts will be placed by negotiation. The methods of negotiation to be followed will be determined by the chief of the service concerned. Any method which will result in the most efficient award of contracts and will, in the judgment of the chief of the service concerned, protect the interests of the Government, is hereby authorized.

(b) When authorized by the Director of the Procurement Policy Division of the War Production Board or his designated representative, contracts may be placed by formal advertising instead of by negotiations if deemed necessary in the interests of the Government. Requests for such authority will be submitted to the Director, Purchases Division, Headquarters, Services of Supply, by the chief of the service concerned.

§ 81.205 Special instructions—(a) Decentralization. The chiefs of the services will decentralize to their field agencies the actual work of negotiating contracts to the greatest extent consistent with efficiency and proper safeguarding of the public interest.

(b) Where consistent with the required speed of war procurement, notification of the proposed procurement will be given to a reasonable number of qualified contractors, and quotations secured from them. A qualified contractor is one who:

(1) Qualifies as such under the laws and lawful regulations governing the purchase of the supplies in question,

(2) Can comply with all the terms and conditions governing the purchase,

(3) Is a manufacturer of or a regular dealer in the supplies or services to be purchased, and

(4) In the judgment of the chief of the service is responsible.

(c) Considerations relative to procurement as set forth in War Production Board directive. Under date of October 10, 1942, the Chairman of the War Production Board issued Directive No. 2, amended (7 F. R. 8179) which, in part, provides as follows:

(b) (1) In negotiating contracts relating to war procurement the following considerations shall govern:

 Primary emphasis shall be upon securing deliveries or performance at the times required by the war program.

(ii) Subject to the considerations stated in subdivision (i) contracts shall be placed with concerns needing to acquire the least amounts of additional new machinery, equipment, or facilities for performance of the

contracts.

(iii) Subject to the considerations stated in subdivisions (i) and (ii), it shall be the policy of all war procurement departments and agencies to avoid contracting for the production of items or materials in communities or areas in which acute labor shortages are known to exist whenever it is practical to procure the needed items or materials elsewhere. The War Manpower Commission shall be relied upon to certify to the war procurement agencies communities and areas in which acute labor shortages exist to such a degree that the policy stated in this subdivision is applicable.

(iv) Subject to the considerations stated in subdivisions (i), (ii), and (iii), such contracts shall be placed so as to conserve, for the more difficult war production problems, the resources of concerns best able, by reason of engineering, managerial, and physical resources, to handle them. Accordingly, contracts for items which involve relatively simple production problems shall be placed with concerns normally the smaller ones, which are less able to handle the more difficult war production problems.

(v) Subject to the considerations stated in subdivisions (i), (ii), (iii), and (iv), and also subject to the provisions or the Production Concentration Programs, which have been or may in the future be instituted by the War Production Board, such contracts shall be placed so as to spread production among as many firms as is reasonable and

easible

(c) War procurement departments and agencies are hereby authorized and directed to pay higher prices than would otherwise be required if such action is stated in subdivisions (i) through (v), inclusive. If all the considerations set forth in subdivisions (i) through (v) have been met and there is still need for selection among contractors, contracts shall be so placed as to obtain the lowest price for the Government.

(d) Authority to depart from these policies may, upon specific request, be granted by the Director of the Procurement Policy Division of the War Production Board, or by such person or persons as he may designate

for this purpose

(d) Additional considerations. In addition to the considerations set forth in paragraph (c) of this section, regard should be paid to the following considerations in negotiating contracts:

(1) An effort should be made to have, for each item of supplies or equipment, a minimum of two producers so located as not to be subject to the same hazard.

(2) Whenever land-grant railroads or water routes can be utilized for the transportation of military supplies, requests for quotations should specify delivery f. o. b. point of origin in preference of f. o. b. point of destination. This applies to both carload and less-than-carload shipments.

Paragraphs (d), (e) and (f) are redesignated as follows, the redesignated paragraph (f) being amended: (e) Authority to make awards. * * *

(f) Applicability of labor statutes to negotiated contracts. The Walsh-Healey Public Contracts Act, as amended, the Davis-Bacon Act, as amended, the Copeland "Kick-back" Act, as amended, and the Eight Hour Law, as amended, are applicable to contracts made and performed under the authority of Executive Order No. 9001 to the same extent as if said contracts had been made and performed under the provisions of section 3709, Revised Statutes.

(g) Commanders in theaters of operations. * * *

PURCHASE ACTION REPORTS

§ 81.206 General—(a) Statistics and Progress Branch. Under General Orders No. 14, Headquarters, Services of Supply, dated June 12, 1942, the Statistics and Progress Branch, Control Division, Headquarters, Services of Supply, was established. This branch is responsible for preparation and submission of all procurement reports required by law to be submitted by the War Department to the President and to the Congress, as well as to other Federal agencies authorized to receive such reports. Effective July 1. 1942, it will be the responsibility of every station, except those in theaters of operations, to make reports of purchase actions as outlined in the succeeding paragraphs. The reports will cover all purchase actions for all types and kinds of things and services, supply contracts (including purchase actions for engineering or architectural services, maintenance of real estate and procurement of abstracts of titles) and purchase actions for the acquisition and leasing of real estate: also purchase actions for construction services, contracts with Defense Plant Corporation and purchase actions for utilities.

(b) Reports required to be filed. The reports required to be filed with the Statistics and Progress Branch, Control Division, Headquarters, Services of Supply, are those specified in \$81.207 (a), (c), (d) and \$81.208. All other initial reports of purchase actions are abolished effective July 1, 1942. When supplementary data is required for operating purposes of a service, the chief of that service may direct supplementary data to be submitted to him.

(c) Service required to file reports. When reallocation or suballotment of funds is involved, the service to which funds are assigned is responsible for making the reports required to be filed under § 81.207 (a), (c), (d) and § 81.208.

(d) Signing of reports. Reports will be signed by the officer in charge. At procurement stations on the exempted list, it will be the Commanding Officer; at posts, camps, or stations on the non-exempted list, it will be the supply officer in charge of procurement covered by the report.

(e) Procedure for forwarding reports. The reports will be forwarded by each station to the chief of its respective service so as to be received, in the case of reports filed under § 81.207 (a), (c) and (d) by the fifth calendar day following the purchase action (see § 81.202 (b)), or, in the case of monthly reports by the

fifth calendar day following the close of the month. The chief of the service will forward the required copy to Commanding General, Services of Supply, attention Control Division, Statistics and Progress Branch, to arrive by the eighth calendar day following the purchase action or the month involved. They will be transmitted in duplicate (unless additional copies are directed by chief of the particular service for stations or contracting officers under his jurisdiction) through the office of the chief of the particular service. One copy will be retained by the office of the chief of the service involved, and the original forwarded from said office to the Statistics and Progress Branch as provided above. Chiefs of services will be responsible for complete, accurate and proper submission of reports from stations under their respective jurisdictions. Stations on the exempted list will report through the chief of the respective services. Contracting officers at posts, camps or stations not on the exempted list will submit for their particular stations reports of their actions through the Chiefs of their respective Service Commands, Services of Supply, regardless of the Supply Service indication incorporated as part of the contract number on the purchase action report. In such cases where one contracting officer at an exempted station has been appointed contracting officer by more than one service, even at posts, camps and stations, separate reports (both monthly and individual purchase action) will be submitted for each service individually. The channels through which both individual purchase action and monthly summary reports will be submitted is determined by the station and the higher echelon to which the reallocation or suballotment (under which the purchase action was undertaken) had been made. The respective Supply Services will render advice to these stations as directed by AR 170-10.1

(f) Reports not to be duplicated. When a "final type" contract is executed covering a previously reported purchase action, no additional purchase action report will be filed. Likewise, a purchase order is to be reported only when it is the original purchase action on the item in question; and a purchase order is not to be reported when it is an order placed against an existing transaction previously reported as a purchase action.

(g) Matters not to be reported. Pay of individuals, shipping and travel expenses, etc., are not to be included in the reports required to be filed under § 81.207 (a), (c), (d) and § 81.208. The items involved in this category are stated in War Department Circular No. 206, 1942. Pay of individuals included in architectural, engineering, professional, administrative or management services will not be reported separately, but will be included in the estimated value of the service performed.

§ 81.207 Reports of purchase actions exceeding \$10,000. (a) A report of

every original purchase action which exceeds \$10,000 (actual or estimated) in amount will be made on an 8" x 10½" sheet and forwarded through the offices of the chiefs of the various services in accordance with the time schedule (the fifth calendar day following the purchase action) and procedure stated in §81.206 (e). Notwithstanding the provisions of the note under §81.201, reports made on and after November 1, 1942, should be made on the following form:

WAR DEPARTMENT

(
(3)	(Station	No.)
Reported through	(2)	

SUBJECT: PURCHASE ACTION REPORT OF CONTRACT IN EXCESS OF \$10,000

- (1) Purchase Action Report Serial No. _____ Supply Date of Station service Number award (6) Contract ______ (4) Contractor ______
- Address

 (5) Work Performed at Plant
 (Name)
 (Location)

 (7) Type of Purchase Action

Description No. of Unit (if estimated, of item units cost so indicate)

(10) Preference Rating _____ Indentification

- (12) If Escalator Clause is included in Contract, state whether such clause is for Labor, Materials, or both
- (13) The minimum wage determination of Secretary of Labor which was made part of this Contract is

If the estimated initial value of the contract is in excess of \$150,000 the following information must also be submitted:

- (14) (a) Negotiators for Government .----
 - (b) Negotiators for Contractor
 - (c) Reasons for selecting Contractor (if no competition was obtained)
- (d) Name of Person approving specification (where Federal, Army, Supply Service, Navy, or other bureau specification is used, a statement to that effect is sufficient) _____
- (e) In reporting purchases of land, the following information must be submitted;
 - wing information must be submit (1) Location _____
- (2) Area (3) Intended Use (4) Price (5) Assessed Value......
- (5) Assessed Value (Signature) (Name)

(Rank)
Copy distribution;
2—Chief, Supply Service

2—Chief, Supply Service

1—C. G. SOS, Statistics and Progress Branch

1—Your File.

(b) Explanation of report form for purchase actions exceeding \$10,000. The following notes apply to the report form set forth in paragraph (a) of this section.

It will be noted that the report form contains cross references to these notes.

(1) Each station will begin with serial No. 1 for the new fiscal year and continue in exact sequence (based on the date of award as established in subparagraph (8) of this paragraph) to the end of the fiscal year. Purchase action reports made in the new fiscal year for awards made in the previous fiscal year should have a serial number in the series of the previous fiscal year.

(2) Under the heading "Reported Through", the command or service through which the report is made should be indicated. Only one command or service should be shown.

(3) Include name of station, location and station number.

(4) Name and address of contractor. If more than one, list each one as a split award on separate purchase action reports.

(5) Name and location of establishment or plant or location where work will be performed. If more than one, list each one. If this is same as contractor, so indicate.

(6) Under the headings "Station", "Supply Service" and "Number" indicate the contract (purchase action) number in accordance with the system specified in § 81.305 (b) of these procurement regulations. When purchase orders are required to be reported (see § 81.206 (f)), the number thereof will be shown under this item of the form.

The date shown will be the date of the original formal agreement as established by the transmittal of the document from the contracting officer to the contractor, which is the date of award and not necessarily the date of agreement.

(7) Indicate whether lump sum, unit price, cost-plus-a-fixed-fee, etc.

(8) For construction, this means work to begin, etc. For real estate, this means date of possession. The starting date may be the same as the completion date; and the starting date or both the starting date and completion date may be the same as the date of award. Where dates are dependent upon receipt of material estimated dates are permissible but will be so indicated.

(9) Complete description of product, service, facilities, project or property. Long lists of items attached to Purchase Action Reports are not required for centralized reporting unless specifically directed by the chief of the service responsible for procurement of the item involved. Where assorted items of like nature are reported, indicate group headings such as: various engine parts, various knit clothing, etc. If item or service is classified state description but so label whole report, and transmit according to regulations covering classified information.

(10) For the preference rating, the W.P.B. priority rating (AAA, AA-1, A-1-a, etc.) will be shown. For the identification symbol, the appropriate allocation classification symbol (as established by W.P.B. in Priority Regulation No. 10, issued June 1, 1942, and known as the "end use code"), should for the time being be used. These are re-

Administrative regulations of the War Department relating to the administration of Service Commands and Departments.

corded as U.S.A. 6.20. U.S.A. 11.30. LL 1.00, etc. Use the LL symbol for Lend Lease or International Aid. It is anticipated that some time in the future, this note will be amended to require the use of the Federal Standard Stock Catalog number instead of the allocation classification symbol.

(11) Number of units, unit cost and total cost. If cost is estimated, write "estimated" after amount. For purchase actions involving architect-engineer or similar services only indicate as the total cost the amount payable to the individual contractor and chargeable against a War Department appropriation. This applies primarily to costplus-a-fixed-fee contracts. In cases where a varied group of items are shown in the description section of the report and not detailed, indicate the various unit prices in the same manner. Indicate this assortment either as a price range, i. e. \$4.37 to \$4.69 ea., or show the word "various" for a wide range of unit prices such as on tools. In all cases a total cost (actual or estimated) will be shown. This includes purchase actions for utilities or other "open-end" contracts.

(12) State when an escalator clause is included in the contract and whether such clause is for labor, materials or both

(13) The minimum wage determination of the Secretary of Labor which was made part of this purchase action will be shown.

(14) Where total value of purchase action is in excess of \$150,000.00 additional data is required as shown on form. (paragraph (a) of this section)

(c) Reports of increased purchase actions not originally reported. When a purchase action, which originally was not reported because it involved a total cost of not more than \$10,000, is increased to an amount in excess of \$10,000, a purchase action report will be made on the form set forth in paragraph (a) of this section, showing the purchase action, as increased, with a notation that the original purchase action did not exceed \$10,000. See subparagraph (8) of §81.208 (b) for method of treating such purchase actions in monthly summary reports.

(d) Supplemental reports. If a purchase action report has been submitted under either paragraph (a) or paragraph (c) of this section, and subsequently there is a change affecting the quantity or value of the original report, a supplemental report will be submitted. Such a supplemental report (clearly marked "Supplemental report") will be for-warded for each such change. The report will be submitted in accordance with the time schedule (5 calendar days after the purchase action) and procedure stated in § 81.206 (e) and will be made on the form specified in paragraph (a) of this section, except that the heading "Total cost" contained in the form will be changed to read, "Net change". The supplemental report will contain the same serial number as the original report followed by a letter of the alphabet in parentheses, the first change being followed by the letter "a" in parentheses

(a): the second change by the letter "b" in parentheses (b), and so on. It is to be noted that this letter will suffix the serial number and not the station number. The report will be on the basis of the net increase or decrease (state which) and such net increase or decrease will be shown and not the revised total cost of the purchase action. A different color paper (blue), will be used for reporting such changes in order to differentiate supplemental reports from original reports. Cancellations will be treated as changes for the purposes of supplemental reports, the estimated amount cancelled being shown as a decrease.

§ 81.208 Monthly summary of purchase actions. (a) A summary of all purchase actions will be rendered for each calendar month as of the last day thereof and submitted on an 8" x 10½" sheet through the offices of the chiefs of the various services in accordance with the time schedule (5 calendar days after the close of the month) and procedure stated in § 81.206 (e) (on the basis of net obligations undertaken during the month and not appropriations authorized). The following form should be used for all reports filed subsequent to December 1, 1942, including the report for the month of November:

MONTHLY SUMMARY OF PURCHASE ACTIONS

- (4) Amount of negotiated purchase actions—

- a. Negotiated \$10,000 and less_____
 b. Negotiated in excess of \$10,000____
 c. All other_____
 d. Total_____
- (Signature)
 (Name)
 (Rank)
- (b) Explanation of monthly report form. The following comments are applicable to the report form set forth in paragraph (a) of this section:

(1) In item (1) of the form there should be shown the command or service through which the report is submitted.

(2) Care should be taken not to include figures for the same purchase action in more than one monthly report.

(3) The definition of negotiated purchases contained in § 81.202 (a) should be used in answering item (4) of the form.

(4) The net increase or decrease in the amount of purchase actions resulting from changes occurring in any given month are to be reported under "a" and "b" of item (4) of the form. See \$ 81.207 (d) for method of treating cancellations.

(5) The net value of all changes or supplements is to be shown as one figure within its proper group (that is, under "a" of item (4) if \$10,000 or less; under "b" of item (4) if in excess of \$10,000; and under item (5) if other than a negotiated purchase action). This will be done regardless of the month in which the original purchase action was reported.

(6) Only original purchase actions are to be shown in the number of purchases made under item (7). At no time will changes or supplements be included in the number of purchases reported under item (7).

(7) Under item (5) of the form will be included purchases made under the general schedule of supplies, purchase notice agreements, contract bulletins, and purchases under all contracts entered into by a Purchasing Officer other than the office making the report (regardless of whether the other purchasing office entered into the contract by negotiation or otherwise).

(8) The revised net amount of all purchase actions which have been supplemented to exceed \$10,000 and for which reports have been accordingly filed under \$81.207 (c) will be included in the first figure under (4) b of the form. The amounts shown under (4) a of the forms filed in previous months in respect to such purchase actions will be shown as a decrease in the second figure under (4).a of the form filed for the month in which the change occurred. Thus a balance can be maintained.

(9) Under (4) b indicate the opening purchase actions used to arrive at the first amount shown in (4) b.

(c) In cases where no activity is shown for a particular month by a station, negative or null reports will be submitted by the stations to their respective higher echelon, but no report need be forwarded for such action from the Chief of Service to the Commanding General, Services of Supply, attention Control Division, Statistics and Progress Branch. Where a station has been terminated a report will be submitted indicating that such report is final.

§ 81.324 Termination for convenience of the Government. The following reference is added at the end of paragraphs (a) and (b) as published in the FEDERAL REGISTER October 13, 1942:

(a) * * *

(See paragraph (c) of this section.)

b) * *

(See paragraph (c) of this section.)

(c) On rare occasions, in connection with an initial contract with a contractor for a particular product or type of construction, involving a long period of preparation for the performance of the contract or unusually large development and planning costs, unusual circumstances may give rise to the request that the contractor be given special protection against loss through termination for the convenience of the Government at an early stage of the performance of the contract. In such cases, a full statement of the facts and a draft of any special contract provisions recommended will be submitted through the Chief of the Supply Service negotiating the contract, to the Director, Purchases Division, Headquarters, Services of Supply, for approval.

§ 81.342 Renegotiation of price clause. The following price renegotiation clauses will be used in accordance with Procurement Regulation No. 12 (§ 81.1201 et

(a) [Form I] Renegotiation pursuant to section 403 of the Sixth Supplemental National Defense Appropriation Act, 1942, as amended. (1) Upon the written demand of the Secretary, at such period or periods when, in the judgment of the Secretary, the profits accruing to the contractor under this contract can be determined with reasonable certainty, the contract price will be renegotiated to eliminate therefrom any amount found as a result of such renegotiation to represent excessive profits. The demand of the Secretary shall fix a place for renegotiation and a time for commencement thereof not later than one year after the close of the fiscal year of the contractor within which completion or termination of the contract, as determined by the Secretary, occurs.

(2) The contractor will furnish to the Secretary such statements of actual costs of production and such other financial statements, at such times and in such form and detail, as the Secretary may prescribe, and will permit such audits and inspections of its books and records as the Secretary may request.

(3) The Government shall retain from amounts otherwise due the contractor, or the contractor shall repay to the Government if paid to him, any amount of the contract price found as a result of such renegotiation to represent excessive profits and not eliminated through reductions in contract price or otherwise, as the Secretary may direct.

(4) The contractor will include in each subcontract made by it under this contract for an amount in excess of \$100,000, the following provisions:

ARTICLE ______ Renegotiation Pursuant to Section 403 of the Sixth Supplemental National Defense Appropriation Act, 1942, as amended.

(1) Upon the written demand of the Secretary, at such period or periods when, in the judgment of the Secretary, the profits ac-... under this cruing to ___ (subcontractor)

contract can be determined and reasonable certainty, the Secretary and _

(subcontractor) will renegotiate the contract price to eliminate therefrom any amount found as a result of such renegotiation to represent excessive profits. The demand of the Sec-retary shall fix a place for renegotiation and time for the commencement thereof not later than one year after the close of the

fiscal year of the subcontractor within which completion or termination of the contract, as determined by the Secretary, occurs.

(2) will furnish to the Secretary such statements of actual costs of production and such other financial statements, at such times and in such form and detail, as the Secretary may prescribe, and will permit such audits and inspections of its books and records as the Secretary may request.

(3) Any amount of the contract price found as a result of such renegotiation to represent excessive profits shall, as directed

by the Secretary

(A) Be deducted by ---(contractor) from payments otherwise due to ... (subcon-

__ under this contract; or tractor)

actor)
(B) Be paid by _____(subcontractor)
(subcontractor) rectly to the Government, if paid to him;

(C) Be eliminated through reductions in the contract price or otherwise

(subcontractor) agrees that ____ shall not be liable to (contractor)

--- for or on account of (subcontractor)

any amount paid to the Government by ---- or deducted by (subcontractor)

from payments other-

(contractor) wise due under this contract, pursuant to directions from the Secretary in accordance with the provisions of this Article. Under its contract with the Government, _

(contractor) is obligated to pay or credit to the Government all amounts withheld by it from _

----- hereunder.

contractor)

___ agrees (a) upon (5) ---(subcontractor)

direction of the Secretary, to include in any subcontract hereunder sections (1) to (6) inclusive of this Article, and (b) to make no subdivisions of any contract or subcontract for the purpose of evading the provisions of this section, and (c) to repay to the Government the amount of any reduction in the contract price of any such subcontract which results from renegotiation thereof by the Secretary, and which the Secretary directs _____ to withold from (subcontractor)

payments otherwise due under such subcontract and actually unpaid at the time __ receives such direction. (subcontractor)

(6) As used in this Article.
(a) The term "Secretary" means the Secretary of War or any duly authorized representative of the Secretary including the

Contracting Officer.

(b) The term "subcontract" means any purchase order or agreement to perform all or any part of the work, or to make or furnish any material, part, assembly, machinery, equipment or other personal property, required for the performance of this contract, unless exempt under or exempted pursuant to Section 403 (i) of the Sixth Supplemental National Defense Appropriation Act of 1942 as amended by Section 801 of the Revenue Act of 1942.

(c) The terms "renegotiate" and "renegotiation" have the same meaning as in section 403 (b) of the Sixth Supplemental National Defense Appropriation Act, 1942, as amended.

(d) The term "this contract" means this contract as modified from time to time.

(5) (i) The contractor agrees to make no subdivisions of any contract or subcontract for the purpose of evading the

provisions of this article.

(ii) If any renegotiation between the Secretary and any subcontractor pursuant to the provisions required by paragraph (d) hereof results in a reduction of the contract price of the subcontract, the Government shall retain from payments otherwise due to the contractor, or the contractor shall repay to the Government, as the Secretary may direct, the amount of such reduction which the Secretary directs the contractor to withhold from payments otherwise due to the subcontractor under the subcontract and actually unpaid at the time the contractor receives such direction.

(6) As used in this article:

(i) The term "Secretary" means the Secretary of War or any duly authorized representative of the Secretary, including the Contracting Officer.

(ii) The term "subcontract" means any purchase order or agreement to perform all or any part of the work, or to make or furnish any material, part, assembly, machinery, equipment or other personal property, required for the performance of this contract, unless exempt under or exempted pursuant to section 403 (i) of the Sixth Supplemental National Defense Appropriation Act of 1942 as amended by section 801 of the Revenue Act of 1942.

(iii) The terms "renegotiate" and "renegotiation" have the same meaning as in section 403 (b) of the Sixth Supplemental National Defense Appropriation Act, 1942, as amended.

(iv) The term "this contract" means this contract as modified from time to

(b) [Form II] Renegotiation pursuant to section 403 of the Sixth Supplemental National Defense Appropriation Act as amended, 1942. (1) The contractor will include in each subcontract made by it under this contract for an amount in excess of \$100,000, the following provisions:

Renegotiation Pursuant to Section 403 of the Sixth Supplemental National Defense Appropriation Act, 1942, as amended.

(1) Upon the written demand of the Secretary, at such period or periods when, in the judgment of the Secretary, the profits ac-

cruing to ----- under this (subcontractor)

contract can be determined with reasonable certainty, the Secretary and ...

(subcontractor)
will renegotiate the contract price to eliminate therefrom any amount found as a result of such renegotiation to represent excessive profits. The demand of the Secretary shall fix a place for renegotiation and a time for the commencement thereof not later than one year after the close of the fiscal year of the subcontractor within which completion or termination of the contract, as determined by the Secretary, occurs.

will furnish to (subcontractor)

the Secretary such statements of actual costs of production and such other financial statements, at such times and in such form and detail, as the Secretary may prescribe, and will permit such audits and inspections of its books and records as the Secretary may

(3) Any amount of the contract price found as a result of such renegotiation to represent excessive profits shall, as directed by the Secretary,

(A) Be deducted by ____ (contractor)

payments otherwise due to ________(subcontractor)

under this contract; or

(B) Be paid by __. __ directly (subcontractor)

to the Government, if paid to him; or
(C) Be eliminated through reductions in

the contract price or otherwise. agrees that (subcontractor)

____ shall not be liable to (contractor)

__ for or on account of (subcontractor)

any amount paid to the Government by or deducted by __ (subcontractor) (contractor)

from payments otherwise due under this contract, pursuant to directions from the Secretary in accordance with the provisions of this Article. Under its contract with the Government, _____ is obligated

(contractor)
to pay or credit to the Government all amounts withheld by it from _____ (subcontractor)

agrees (a) upon (subcontractor)

direction of the Secretary, to include in any subcontract hereunder section (1) to (6) inclusive of this Article, and (b) to make no subdivisions of any contract or subcontract for the purpose of evading the provisions of this section, and (c) to repay to the Government the amount of any reduction in the contract price of any such subcontract which results from renegotiation thereof by the Secretary, and which the Secretary --- to withhold directs ____ (subcontractor)

from payments otherwise due under such subcontract and actually unpaid at the time ___ receives such direction.

(subcontractor)

(6) As used in this Article,

(a) The term "Secretary" means the Secretary of War or any duly authorized representative of the Secretary, including the

Contracting officer.

(b) The term "subcontract" means any purchase order or agreement to perform all or any part of the work, or to make or furnish any material, part, assembly, machinery, equipment or other personal property, required for the performance of this contract, unless exempt under or exempted pursuant to section 403 (i) of the Sixth Supplemental National Defense Appropriation Act of 1942 as amended by section 801 of the Revenue

(c) The terms "renegotiate" and "renegotiation" have the same meaning as in section 403 (b) of the Sixth Supplemental National Defense Appropriation Act, 1942, as amended.
(d) The term "this contract" means this

contract as modified from time to time.

(2) (i) The contractor agrees to make no subdivision of any contract or subcontract for the purpose of evading the provisions of this article.

(ii) If any renegotiation between the Secretary and any subcontractor pursuant to the provisions required by section (a) hereof results in a reduction of the contract price of the subcontract, the Government shall retain from payments otherwise due to the contractor, or the contractor shall repay to the Government, as the Secretary may direct, the amount of such reduction which the Secretary directs the contractor to withhold from payments otherwise due to the subcontractor under the subcontract and atqually unpaid at the time the contractor receives such direction.

(3) As used in this article:(i) The term "Secretary" means the Secretary of War or any duly authorized representative of the Secretary, includ-

ing the Contracting Officer.

(ii) The term "subcontract" means any purchase order or agreement to perform all or any part of the work, or to make or furnish any material, part, assembly, machinery, equipment or other personal property, required for the performance of this contract, unless exempt under or exempted pursuant to section 403 (i) of the Sixth Supplemental National Defense Appropriation Act of 1942 as amended by section 801 of the Revenue Act of 1942.

(iii) The terms "renegotiate" and "renegotiation" have the same meaning as in section 403 of the Sixth Supplemental National Defense Appropriation Act,

1942, as amended.

(iv) The term "this contract" means this contract as modified from time to

§ 81.905 Applicability of eight hour

(f) Qualification of exceptions. The exceptions contained in paragraphs (a) to (e) of this section (but not the exception for Walsh-Healey contracts) are subject to the qualification contained in the Act that the basic law shall apply to "all classes of work which have been are now, or may hereafter be performed by the Government * * *." The meaning of this qualification is not clear. Under one literal interpretation, it would nullify the exceptions (See 29 Op. A.G. 505 (1912)). The preferable construction is that the exceptions apply on a given date unless the work is of a class which has been or is then being performed by the Government.

WAGE AND SALARY STABILIZATION

§ 81.968 General orders. From time to time the National War Labor Board. issues general orders establishing procedures and regulations for the administration and interpretations of Executive Order No. 9250 as well as interpretations of such general orders. The full text of such general orders and interpretations is set forth in the succeeding paragraphs of this procurement regula-

§ 81.969 General Order No. 1. All increases in wage rates which have been directed by the War Labor Board prior to October 3, 1942, shall be put into effect in accordance with the terms of the directive order in each particular case.

§ 81.970 General Order No. 2. procedures in the National War Labor Board for the adjustment of labor disputes affecting wages established under Executive Order No. 9017, dated January 12, 1942, shall remain in full force and operation, and in all present or future cases in which the jurisdiction of the Board has attached or shall attach by certification or otherwise, the parties shall be deemed to have given notice

within the terms of Title II, section 1, of Executive Order No. 9250, dated October 3, 1942.

§ 81.971 General Order No. 3. (a) The National War Labor Board hereby approves all increases in wage rates which were put into effect on or before October 3, 1942, Provided, however, That the Board reserves the power under the provisions of Title III, section 3 of the Executive Order to disapprove any such wage rate which it may find to be inconsistent with the policy enunciated in the said Executive Order or hereafter formulated by the Economic Stabilization Director and in case of such disapproval to order the discontinuance of further payment of such wages.

(b) Interpretation No. 1 of General Order No. 3. In General Order No. 3 the words "increases in wage rates which were put into effect on or before October 3" include increases in wage rates which by written agreement entered into on or before October 3, 1942, or by the formal action communicated to the employees on or before October 3, 1942, notwithstanding such increases were first reflected in a payroll subsequent to October

(c) Interpretation No. 2 of General Order No. 3. Any change in wage rates, regardless of its effective date, which results from the award or decision of an arbitrator or referee made after October 3, 1942, is subject to the provisions of Executive Order No. 9250, dated October 3, 1942, notwithstanding the agreement or order for arbitration or reference was made on or before October 3,

(d) Interpretation No. 3 of General Order No. 3. Unless otherwise expressly exempted, any change in wage rates provided for in any existing agreement to take effect at some future date or on the happening of some future event, is subject to the provisions of Executive Order No. 9250, dated October 3, 1942, regardless of when the agreement was made.

§ 81.972 General Order No. 4. (a) Wage adjustments made by employers who employ not more than eight (8) individuals are exempted from the provisions of the Executive Order No. 9250 of October 3, 1942.

(b) Interpretation No. 1 of General Order No. 4. The exemption granted by General Order No. 4 to employers who employ not more than eight individuals does not apply to employers who own or operate more than one plant or unit where the aggregate of employees in such plants or units exceeds eight.

(c) Interpretation No. 2 of General Order No. 4. The exemption provided for by General Order No. 4 shall not apply to employers whose employees' wages, hours or working conditions have been established or negotiated on an industry, association, area or other similar basis, whether by master contract or by separate but similar or identical con-

§ 81.973 General Order No. 5. (a) Wage adjustments may be made in the rates of individual employees, without approval of the National War Labor Board, if they are incident to the application of the terms of an established wage agreement or to established wage rate schedules covering the work assignments of employees and are made as a result of:

(1) Individual promotions or reclassi-

fications.

(2) Individual merit increases within established rate ranges.

(3) Operation of an established plan of wage increases based upon length of service.

(4) Increased productivity under piece-work or incentive plans.

(5) Operation of an apprentice or

trainee system.

The Board further finds that adjustments of wages made under this order should not result in any substantial increase of the level of costs and shall not furnish a basis either to increase price ceilings of the commodity or service involved or to resist otherwise justifiable reductions in such price ceilings.

(b) Interpretation No. 1 of General Order No. 5. The fixing of a piece-rate which was theretofore set only tentatively for trial purposes, and the resetting of a piece-rate which was found to have been set in the first instance so as to yield less than the regularly established or normal amount prevailing in the plant for that type of job, are each "wage adjustments . . . incident to the application of the terms of an established wage agreement or to established wage rate schedules" within the meaning of General Order No. 5, and may therefore be made without approval of the National War Labor Board.

§ 81.974 General Order No. 6. (a) The hiring of an individual at a wage rate in excess of the rate previously established in the plant for employees of similar skill and productive ability within the classification in which the individual is employed is a "wage increase" within the meaning of Executive Order No. 9250.

(b) If a wage rate for a job classification has not theretofore been established by the employer for the plant involved, the rate shall be fixed at a level not exceeding that which prevails for similar classifications within the area, unless a higher rate is approved by the National War Labor Board.

REQUISITIONING OF PERSONAL PROPERTY

GENERAL

§ 81.1401 Authority to requisition. Authority to requisition personal property is conferred under (1) the Act of October 10, 1940 (54 Stat. 1090) as amended by the Act of July 2, 1942 (Pub. Law 643, 77th Congress, 2nd Session), (2) the Act of October 16, 1941 (55 Stat. 742) as amended by the Act of March 27, 1942 (Pub. Law 507, 77th Congress, 2nd Session) and (3) Executive Order No. 8942, dated November 19, 1941 (6 F.R. 5909) as amended by Executive Order No. 9138, April 17, 1942 (7 F.R. 2919). The procedure outlined in this procurement regulation is confined to authority exercised pursuant to the above statutes and executive orders and does not apply to other forms of requisitioning or commandeering which may

be available to officers in theaters of operations.

§ 81.1402 Definitions—(a) Property. The term "property", as used in this procurement regulation includes all items which may be or have been requisitioned under the authorities referred to under § 81.1401 (see § 81.1403).

(b) Requisition officer. The term "requisition officer", as used in this procurement regulation, means any contracting officer, as defined in Procurement Regulation No. 3, (§§ 81.301-81.360) or any commanding officer of service commands, armies, arsenals, depots, posts, fields and camps.

(c) Requisition. The term "requisition", as used in this procurement regulation, refers to a document consisting of two parts (part 1 "proposal to requisition" and part 2 "requisition order") as set forth in § 81.1417 below.

(d) Notice of requisition. The term "notice of requisition", as used in this procurement regulation, refers to the form set forth in § 81.1418 below.

(e) Serving Officer. The term "serving officer", as used in this procurement regulation, refers to an officer, agent, or employee of the United States at or near the location of the property to be requisitioned, designated by the requisition officer as the proper person to make personal service of the requisition and of the notice of requisition.

(f) Report concerning value, condition and use of requisitioned property. The term "report concerning value, condition, and use of requisitioned property", as used in this procurement regulation, refers to a written statement in the form prescribed by § 81.1419 below.

ACQUISITION OF PROPERTY BY REQUISITION

§ 81.1403 Selection of proposal forms.
(a) When a requisition is initated under the Act of October 10, 1940, as amended, the requisition officer will first determine that:

(1) The property should be taken over for the use or operation by the United States or in its interest:

(2) The property is military or naval equipment or munitions, or component parts thereof, or machinery, tools or materials or supplies necessary for the manufacturing, servicing or operation thereof; and

(3) The property was ordered, manufactured, procured or possessed for export purposes, and that the exportation thereof has been prohibited or curtailed in accordance with the Act of July 2, 1940. (Pub. Law 703, 76th Congress; 54 Stat. 714)

(b) When a requisition is initiated under the Act of October 16, 1941, as amended, the requisition officer will first determine that:

(1) The use of the property is needed for the defense of the United States;

(2) Such need is immediate and impending and such that will not admit of delay or resort to any other source of supply:

(3) All other means of obtaining use of such property for the defense of the United States upon fair and reasonable terms have been exhausted;

(4) The property is military or naval equipment, supplies or munitions, or component parts thereof, or machinery, tools, or materials necessary for the manufacture, servicing, or operation of such equipment, supplies or munitions; and

(5) The property to be requisitioned is not a firearm possessed by an individual for his personal protection or sport, possession of which is not prohibited by existing law.

§ 81.1404 Duties of the requisition officer. Having satisfied himself as to the existence of the above-mentioned conditions, the requisition officer will execute the appropriate form of proposal and will forward the proposal and one copy thereof to the chief of the supply service concerned and five copies thereof direct to the Legal Branch, Purchases Division, Headquarters, Services of Supply.

§ 81.1405 Duties of the Legal Branch, Purchases Division, Headquarters, Service of Supply. The Legal Branch will accomplish all clearances and obtain the recommendation of the chief of the supply service concerned. After all necessary clearances and signatures are obtained, the Legal Branch will promptly transmit the requisition directly to the serving officer.

§ 81.1406 Duties of the serving officer. (a) The serving officer will personally serve the requisition upon the possessor or custodian of the property, but will not leave the requisition with such possessor or custodian of the property. He will also serve a notice of requisition upon the possessor or custodian of the property leaving the same in the possession of such possessor or custodian to serve as a receipt for the property. He will also serve a notice of requisition upon any persons known or believed to have, or to assert, a claim or interest in the property. In the event that it shall be impossible to accomplish personal service of a notice of requisition upon any person or persons believed to have, or to assert, a claim in the property, service of a notice of requisition will be made upon such persons or persons by the serving officer by registered letter mail, return receipt requested, at the last known address of such persons entitled to notice.

(b) Promptly upon serving the requisition upon the possessor or custodian of the property, the serving officer may take the property and the possession thereof for the purposes specified in the requisition and will promptly execute the Receipt for the property and the Return. The requisition itself will then be returned by the serving officer to the requisitioning officer together with a report of any service made pursuant to § 81.1406 (a) above and a report concerning value, condition, and use of requisitioned property in the form prescribed by § 81.1419 below. Simultaneously therewith copies of the instruments referred to will be transmitted to the chief of the supply service concerned, and a copy of the requisition showing the receipt and the return as executed will be transmitted to the Legal Branch, Purchases Division, Headquarters, Services of Supply.

§ 81.1407 Proof of claim; disclaimer. The requisitioning office will immediately, after return of service, upon receiving the report from the serving officer distribute a form of disclaimer or a form of proof of claim, accompanied by appropriate form of verification (individual, corporate, or foreign government as the case may be), together with power of attorney, if necessary, to every person known or believed to assert any claim or interest in the property, together with instructions for the preparation of the proposal and submission of the proof of claim or disclaimer, as the case may be. The requisitioning office will furnish the chief of the supply service concerned and Legal Branch, Purchases Division, Headquarters, Services of Supply, with two copies of each proof of claim or disclaimer with the attached verification and power of attorney. The required forms of proof of claim, verifications, power of attorney, disclaimer, and accompanying instructions are set forth in §§ 81.1420-81.1424 below.

DETERMINATION AND PAYMENT OF FAIR AND
JUST COMPENSATION FOR PROPERTY REQUI-

§ 81.1408 Definitions—(a) Certificate of fair and just compensation. The term "certificate of fair and just compensation", as used in this procurement regulation, refers to a written statement in the form prescribed by § 81.1425 below.

(b) Acceptance of award and release. The term "acceptance of award and release", as used in this procurement regulation, refers to a written statement in the form prescribed by § 81.1426 below.

(c) Stipulation as to amount of fair and just compensation. The term "stipulation as to amount of fair and just compensation", as used in this procurement regulation, refers to a written statement in the form prescribed by \$81.1427 below.

(d) Disbursing officer. The term "disbursing officer", as used in this procurement regulation, refers to the officer who has been designated to make payments for the property in the Proposal to Requisition (Part I of form set forth in § 81.1417.)

(e) Award where owner is alien enemy or national of a state or territory occupied by enemy. Where an owner of the requisitioned property is an alien enemy or a national of a state or territory occupied by the enemy, award will be made in the manner prescribed in this section III, (§§ 81.1408-81.1416) except that the payment shall be made into a blocked account for the benefit of such alien enemy or national of a state or territory occupied by the enemy.

INITIAL PROCEDURE IN DETERMINING THE AMOUNT OF COMPENSATION

§ 81,1410 Preliminary determination.
(a) Promptly after the requisitioning of the property and after consultation with all available persons claiming an interest therein, the requisition officer will make the preliminary determination of the fair and just compensation to be paid for such property. The requisition officer will determine the place of conficer will determine the place of con-

sultation giving due regard to the place of residence or whereabout of the claimants.

(b) In making the preliminary determination of compensation the requisition officer will fix an amount believed to be the fair market value of the property requisitioned (i. e., of the actual materials) as of the time and place of taking: Provided, however, That in no instances will the amount of compensation exceed the ceiling price, if any, established by the Office of Price Administration or otherwise established by law, if such ceiling price was in effect at the time of taking. Such determination shall be made in accordance with the provision contained in the fifth amendment of the Constitution of the United States that "private property [shall not] be taken for public use, without just compensation."

(c) The requisition officer will, to the extent practicable, give notice of such determination to all persons known or believed to assert a claim or interest in the property requisitioned. Such notice will be given by personal service where possible, and, where not possible, by registered mail, return receipt requested.

(d) Within thirty (30) days after date of receipt of notice of preliminary determination, any claimant may file written objections thereto with the chief of the supply service concerned, specifying in reasonable detail the grounds for his objection. The preliminary determination may be modified on the basis of such objection.

§ 81.1411 Final determination of fair and just compensation. (a) Within ninety (90) days after the taking of the property, the requisition officer will either affirm the preliminary determination or make a new determination of the amount constituting fair and just compensation for the requisitioned property, taking account of any new factors brought to light by any objections filed to the preliminary determination, pursuant to the provisions of § 81.1410 (b) and (d) above.

(b) The requisition officer will then execute, in triplicate, a certificate of fair and just compensation in the form prescribed by \$81.1425 below and will request the owner to accept, by signing an acceptance of award and release in the form prescribed by \$81.1426 below, the amount named in the certificate as fair and just compensation. If the owner cannot be determined with certainty, the procedure set forth in \$81.1413 will govern.

SUBSEQUENT PROCEDURE WHERE CLAIMANTS DISAGREE AS TO AMOUNT OF COMPENSATION

§ 81.1412 Where ownership is established with certainty. (a) After obtaining the owner's acceptance of the determination of the amount constituting fair and just compensation, the requisition officer will forward the executed acceptance of award and release of the chief of the supply service concerned for approval and simultaneously a copy will be furnished the Legal Branch, Purchases Division, Headquarters, Services of Supply.

(b) Upon approval of the executed acceptance of award and release, recommendation will be made by the chief of the supply service concerned that the Under Secretary of War make an award in the amount set forth in such acceptance. Such recommendation will be forwarded to the Legal Branch, Purchases Division, Headquarters, Service of Supply, which will prepare an award and forward it to the Under Secretary of War for action.

(c) If the Under Secretary of War signs the award, the Legal Branch will transmit the same to the chief of the supply service concerned. Notice of the signing of the Award shall be transmitted promptly to the claimants by the chief

of the supply service.

(d) Upon receipt of payment the payee will be required by the disbursing officer to execute a receipt in final form and such receipt will be returned promptly to the requisition officer who will forward the same to the chief of the supply service concerned, and simultaneously will furnish a copy of such final receipt to the Legal Branch, Purchases Division, Headquarters, Services of Supply.

§ 81.1413 Where ownership cannot be determined with certainty. (a) Upon receipt from the chief of the supply service concerned of an approved certificate of fair and just compensation, the requisition officer will request all persons claiming to be entitled to any share in the award to execute a stipulation in the form prescribed in § 81.1427, agreeing to the amount of fair and just compensation as determined in such certificate. Such stipulation, when exe-cuted, will be forwarded by the requisition officer to the chief of the supply service concerned, and simultaneously a copy will be furnished the Legal Branch, Purchases Division, Headquarters, Services of Supply.

(b) Cases in which the owner of the property cannot be determined with certainty will be referred to the War Department Board of Contract Appeals in the Office of the Under Secretary of War which shall make a determination of ownership; if possible, obtaining from the owner the prescribed acceptance of award and release. In those cases where the Board finds it impossible to determine the ownership, the Board will advise the chief of the supply service as to what disposition may be made of the

ciaim.

SUBSEQUENT PROCEDURE WHERE CLAIMANTS AGREE AS TO AMOUNT OF COMPENSATION

§ 81.1414 Where ownership is established with certainty. (a) If the owner refuses to execute an acceptance of award and release, the requisition officer will furnish to the chief of the supply service concerned a copy of the certificate of fair and just compensation, and, in addition thereto, a report concerning value, condition and use of requisitioned property in the form prescribed by § 81.1419 below.

(b) All claimants shall be entitled to a hearing before the War Department Board of Contract Appeals according to the rules of procedure prescribed by the Board. A stenographic transcript of the proceedings before the board and copies of all written evidence submitted will be preserved.

- (c) After hearing and the presenta-tion of all claims, the War Department Board of Contract Appeals will make a determination of fair and just compensation for the requisitioned property and will request the Under Secretary of War to make an award in the amount determined.
- (d) Upon signature of the award by the Under Secretary of War, proceedings will be had in accordance with § 81.1412 (c) and (d) above.

§ 81.1415 Refusal of award. In the event that the award of compensation fixed by the Under Secretary of War is refused by the owner of the property requisitioned, the chief of the supply service will direct payment to such owner of fifty per cent (50%) of the amount of the award, as provided in the Act of October 10, 1940 (54 Stat. 1090), as amended, and the Act of October 16, 1941 (55 Stat. 742), as amended.

§ 81.1416 Where ownership cannot be determined with certainty. Where the ownership of the requisitioned property cannot be determined with certainty and any person claiming an interest therein declines to execute a stipulation as provided in § 81.1413 (a) above, such case shall be referred to the War Department Board of Contract Appeals, which shall determine fair and just compensation in the manner provided for by § 81.1414 (b) and (c) above, and shall thereupon proceed in accordance with § 81.1413 (b) above.

FORMS

§ 81.1417 Form of requisition.

REQUISITION

I. PROPOSAL TO REQUISITION PROPERTY

War Dept. No. _____ Date ____

The War Department herewith submits to the Chairman of the War Production Board the following proposal for the requisitioning the priorities and allocations program and the general production and supply plan of said Chairman, the head of the department or agency submitting this proposal having heretofore determined that:

A. In the event this proposal is submitted pursuant to the Act of October 10, 1940 as amended, that:

(1) Such property is of the type which may be requisitioned under said Act; and

(2) There exists a necessity for requisitioning the property in accordance with the provisions of section 1 of said Act.

B. In the event this proposal is submitted pursuant to the Act of October 16, 1941, as

amended, that:

(1) Such property is of the type which may be requisitioned under said Act; and

(2) (a) The use of such property is needed for the defense of the United States,

(b) Such need is immediate and impending and such as will not admit of delay or resort to any other source of supply,

(c) All other means of obtaining use of

(c) All other means of obtaining use of such property for the defense of the United States upon fair and reasonable terms have been exhausted, and
(d) The property to be requisitioned is not a firearm possessed by an individual for his personal protection or sport, the possession of which is not rophibited by existing law. of which is not prohibited by existing law.

1. Description of property: (In as great detail as possible, specifying quantity, quality, shapes, sizes, etc. The specifications may be set forth in an attached statement.)

2. Present location: Name of holder____

Address_ 3. Beneficial owner (if known): Name_____ Address.

4. All other persons known to have or claim an interest in property:

Name Address Address Name_____ Address_____ Name_____Address_____ Name____Address_____

5. Intended use or disposition of property by present owners:

6. Persons to whom the Requisitioning Authority proposes to sell or otherwise dispose of property:

Name _____ Address ______7. Use to be made of property by persons described in 6:

8. Was this property ordered, manufactured, procured or possessed for export purposes? (Set forth additional data in statement of facts.)

9. When this material has been requisitioned, shipping instructions should be as follows:

10. Payment for this material will be made by the United States from the allotment, appropriation or fund _____

the available balance of which is sufficient to cover the cost of the same. The allotment, appropriation or fund indicated has been obligated in the amount of \$ ___

11. Cost and charges incurred subsequent to the execution of this requisition, and re-lating to the requisitioned property should be referred for payment to:

Office Address

12. Name and address of office to which approved award of compensation should be

sent for payment: Office Address 13. The following officers, agents, or employees of the United States are available to serve requisitions at the location of this

property:

Name, Title Street Address City, State

STATEMENT OF FACTS

(Additional Sheets May Be Attached)

The undersigned hereby declares and certifies that all the facts herein set forth are true to the best of his knowledge and belief;

A. In the event this proposal is submitted pursuant to the Act of October 10, 1940 as amended, that:

1. Such property is of the type which may be requisitioned under said Act; and

2. There exists a necessity for requisition-

ing the property in accordance with the provisions of Section 1 of said Act.

B. In the event this proposal is submitted pursuant to the Act of October 16, 1941 as amended, that:

1. The property herein described is needed for the defense of the United States.

2. The need for such property is immediate and impending and such as will not admit of delay or resort to any other source

3. All other means of obtaining the use of such property for the defense of the United States upon fair and reasonable terms have been exhausted

4. The property to be requisitioned is not a firearm possessed by an individual for his personal protection or sport, the possession of which is not prohibited by existing law.

5. As a part of this request there is attached hereto a written memorandum setting forth all of the facts relating to the attempted acquisition of said property together with all correspondence between the interested parties upon which the undersigned predicates the statement made by him in paragraph 3 above.

This certificate is executed by a duly authorized officer of (Department) this _____ day of ____

This Requisition is approved on behalf of (Chief of Supply Service) _____

1

(Authorized Officer)
The determination of the War Production
Board should be sent to the legal Branch,
Purchases Division, Headquarters, Services of Supply, War Department, Washington, D. C.

(Authorized Officer)

Concurred in by the Army and Navy Munitions Board.

Requisition Committee.

DETERMINATION OF CHAIRMAN OF WAR PRODUC-TION BOARD

The Chairman of the War Production Board hereby certifies that he has determined that the requisitioning and disposal herein proposed is/is not consistent with the pri-orities and allocations program and the gen-eral production and supply plan of the Chair-man of the War Froduction Board. Dated _____, 194___

Chairman of War Production Board

II. REQUISITION ORDER

Requisition

by

The United States of America

War Department No.

To: It having been determined in the manner provided for in the Act of______,* and the Executive Orders thereunder that it is necessary in the interest of national defense to requisition and take over for the use or operation by the United States or in its interest, the following articles or materials; _____

You are therefore authorized and commanded to take said articles or materials and the possession thereof for the purposes above specified; to receipt for the same in the name of the United States; and, to the end that, among other things, just and fair compen-sation therefor may be ascertained, to make return to_____

and copy thereof to the Legal Branch, Purchases Division, Headquarters Services of Supply, War Department, Washington, D. C., of all things done and proceedings had in the execution of this requisition.

All persons having any claim to or interest in any of the above-described articles or materials are directed to give notice of their claims at once to_ which will prescribe the form and manner of filing such claims.

Washington, D. C 194 ...

*If the property was "ordered, manufactured, procured or possessed for export purposes, the exportation of which has been denied," insert the following: "October 10, 1940 (54 Stat. 1090) as amended."

If the property was not "ordered, manufactured, procured or possessed for export purposes, the exportation of which has been denied," insert the following: "October 16, 1941 (55 Stat. 742) as amended."

§ 81.1421 Forms of verification—(a)

forms of verification by an individual.

III. THE RECEIPT	4. Pursuant to the Requisit
Received from	was taken over byevidenced upon receipt end
on theday of	Requisition executed by the of War under date of
194, in condition, the articles or materials covered	5. The name and address
by the requisition on the reverse hereof,	the property is:
except as indicated below.	(The information requeste
THE UNITED STATES OF AMERICA,	to 12, inclusive, should be giv complete detail as possible.)
By	6. Before requisitioning, t
	7. Present use of the prop
THE RETURN	8. Information as to age of 9. Information as to any
The requisition on the reverse hereof was	depreciation on the owner's
served by me by showing the Original there- of to, and leaving a copy with	10. Information as to recently paid for similar prop
this	of this property.
194 day of	11. Information as to earni this property by its owner.
And in the name of the United States I	12. What effect will the
also give to a receipt for the articles or materials, taking posses-	owner.
sion of the same.	Title
THE COLUMN TWO IS NOT	§ 81.1420 Form of proof
Title	In the matter of the claim
EXCEPTIONS AND REMARKS	(Here insert the name of th
	corporation on whose beha
§ 81.1418 Form of notice of requisi-	Requisition W. D
tion.	PROOF OF CLAI
NOTICE OF REQUISITION	The proof of claim (Here
To all persons known to have or claim an interest in the property described below:	and address of claimant and, its principal place of busin
Please take notice that the property de-	incorporation) avers:
scribed below was on, 194, requisitioned and taken over for the	1. That claimant is entit just compensation from th
defense of the United States:	in the amount of \$
If you had or claimed any interest in such property you are required to file a claim at	propery taken by the Unite day of under War Department
once. Proof of Claim in the attached form	under War Department as follows: (itemiz
must be filed in triplicate. If you did not have or claim any interest	2. That claimant had, on
in such property you are required to file a disclaimer in the form attached. Such dis-	requisition, the right, title
claimer must be filed in triplicate.	property; viz:
All claims and correspondence in connec- tion with this requisition should be addressed	3. That on the date of sal
to	the best of claimant's know
Notice of this requisition is being given to	any right, title or interest requisitioned property exc
	(If no exceptions, so state) 4. That claimant makes th
If you know of any other person, firm or	ments in support of the righ
corporation which had or claimed any inter-	est asserted in Paragraph 2 to say: (Set forth fully all
est in the requisitioned property you should so advise at once, specifying in detail the	copies of all documents evide
name and address of such person, firm or cor-	5. That claimant is the p
poration and the nature of such interest.	this claim, and that neither any interest in it has been
Data 104	pledged, or assigned except
Date, 194	no exceptions, so state.) 6. Wherefore, claimant re
§ 81.1419 Form of report concerning value, condition, and use of requisitioned	amount of just compensation
property.	determined according to law Dated at
Req. W. D. No	This
War Production Board Case No	
Report Concerning Value, Condition, and Use	(Name of claimar poration or par
of	entity, name o
Requisitioned Property	ized to sign, w
1. The Proposal for requisitioning and dis-	Address
posal of property (hereinatfer called the Pro- posal) was executed under date of	Name and Address of at
	§ 81.1421 Forms of v
2. A description of the property as set forth in the Proposal is as follows:	Forms of verification by
3. The Requisition for the property was	State of
executed by Robert P. Patterson, Under Secretary of War, under date of	City of

9669 4. Pursuant to the Requisition, the property (Insert here name of claimant), being first duly sworn, deposes and says that he is the claimant in the above entitled proceeding: as taken over by _____ as ridenced upon receipt endorsed upon the equisition executed by the Under Secretary that he has read the foregoing Proof Claim and knows the contents thereof, and War under date of . 5. The name and address of the owner of that the averments in said Proof of Claim are true of his own knowledge, except as to e property is: matters which are therein stated on infor-(The information requested in paragraph 6 mation or belief, and that as to those mat-12, inclusive, should be given in as full and emplete detail as possible.) ters, he believes the averments to be true. Before requisitioning, the property was Subscribed and sworn to before me this ed for the following purposes _____ day of _____, 194____. Present use of the property. 8. Information as to age of property.
9. Information as to any allowances for Notary Public in and for the of _____, State of _____. preciation on the owner's books. (b) Form of verification by a corpora-10. Information as to the price most cently paid for similar property at the situs State of _____County of _____ this property. 11. Information as to earnings realized from nis property by its owner. 12. What effect will the requisitioning of City of ______(Insert here name of officer or director of is property have upon the business of its the corporation), being first duly sworn, deposes and says that he is the (insert title) of the (insert name of corporation), claimant in the above entitled proceeding: Title ____ that he is authorized to, and does make this § 81.1420 Form of proof of claim. affidavit in its behalf; that he has read the In the matter of the claim of____ foregoing Proof of Claim and knows the con-tents thereof, and that the averments in said (Here insert the name of the person, firm or rporation on whose behalf this claim is Proof of Claim are true of his own knowledge, except as to matters which are therein stated on information or belief, and that as to those matters, he believes the averments Requisition W. D. No. PROOF OF CLAIM The proof of claim (Here insert full name Subscribed and sworn to before me this nd address of claimant and, if a corporation, _____ day of _____, 194___, principal place of business and state of corporation) avers: Notary Public in and for the _____ 1. That claimant is entitled to fair and of _____, State of _____ st compensation from the United States (c) Form of verification by, or on bethe amount of \$ ____. ropery taken by the United States on the
day of _______, 194____,
nder War Department Requisition No.
______ as follows: (itemize) half of a foreign government. State of _____County of ____ 2. That claimant had, on the date of said equisition, the right, title or interest here-City of _____ deposes and says that he is the duly constiafter set forth in and to said requisitioned tuted and authorized representative of ..., a foreign government, that he has read the foregoing Proof of operty: viz: 3. That on the date of said requisition no ther person or persons had or claimed, to ne best of claimant's knowledge and belief, Claim and knows the contents thereof and ny right, title or interest in and to said that the averments in said Proof of Claim quisitioned property except as follows:
If no exceptions, so state).
4. That claimant makes the following averare true of his own knowledge except as to the matters therein stated on information and belief, and that as to those matters he ents in support of the right, title or inter-st asserted in Paragraph 2 hereof, that is believes the averments to be true. Official Title say: (Set forth fully all facts, attaching Subscribed and sworn to before me this pies of all documents evidencing claimant's _____ day of _____, 194____. tle.) 5. That claimant is the present owner of Notary Public in and for the als claim, and that neither this claim nor ny interest in it has been transferred, sold of _____, State of _____ edged, or assigned except as follows: (If § 81.1422 Form of power of attorney. exceptions, so state.) 6. Wherefore, claimant requests that the POWER OF ATTORNEY mount of just compensation due herein be Know all men by these presents that_____ etermined according to law. ated at _____ day of (Name of claimant, address and legal status; This and, if a corporation, the principal place of (Name of claimant and, if a corbusiness and State of incorporation) hereinafter called "Claimant", (in pursuance poration or partnership or other of a resolution passed by its Board of Directors, a certified copy of which is attached entity, name of person authorized to sign, with the designation of his title.) hereto*) does hereby make, constitute and appoint --ame and Address of attorney, if any:

(Name of attorney-in-fact) claimant's true and lawful attorney for claimant and in claimant's name and behalf, and with the same force and effect as if done by Claimant (through its duly authorized officers*):

To represent and act for Claimant before the War Department or any other department

or agency of the United States Government in any and all matters concerning the de-termination of compensation for property taken by the United States of America on

by Requisition W. D. No. with power to execute in Claimant's name any and all Proofs of Claim or amendments or supplements thereto, any and all stipulations of fact, statements and declarations as to ownership, and any and all other instruments of every kind and nature which may be required in communications therewith; and to present, prosecute, compromise, or settle any claim or claims arising out of the above requisition, which Claimant has or may have, against the United States Government, or any official, department, or agency thereof, and to execute on behalf of Claimant one or more receipts and/or releases for any award of compensation made by the United States in connection with the above requisition and/or one or more agreements to indemnify and hold harmless the United States, its officers, agents, and employees, in an amount not agents, and employees, in an amount not exceeding the sum awarded to Claimant, from any and all loss resulting from the establishment of a valid claim by any other person or persons against requisitioned property for which compensation has been awarded to Claimant; and to receive, on behalf of Claimant, any check or checks issued

in payment of the award;
With full power to substitute or employ an attorney or attorneys at law or in fact with

the same powers enumerated herein.
WITNESS the due execution hereof this
_____day of______, 194____

(Name of Claimant—indicate whether an individual, corporation, partnership or other entity)

By ____ President

[CORPORATE SEAL]* ATTEST: *

Secretary*

§ 81.1423 Form of disclaimer.

Requisition W. D. No.

DISCUATMER

having received due notice of the service of Requisition W. D. ..., dated ..., we hereby disclaim any right, title or interest in the articles or materials taken under such requisition and any claim for compensation thereunder.

Sworn and subscribed this ----- day of --------- before me -----

§ 81.1424 Instructions for the preparation and submission of documents.

1. An original and two conformed copies of each Proof of Claim which shall be filed in the appropriate office as directed.

2. Proof of Claim and all other papers filed shall be typewritten on one side of the page only with a margin of 1½" at the top and on the left side of the page.

3. A good quality of white paper stock 8" x 101/2" shall be used.

4. Each page shall be numbered at the bottom and each paragraph numbered at the

*Omit if not a corporation.

5. Every document having more than one page shall be secured with a fastener at the

top of the page.
6. Proofs of Claim shall be in the form prescribed, contain all the averments Indicated in the prescribed form and should be executed and verified as therein prescribed.
7. The Proof of Claim of a foreign govern-

ment may be executed and verified by its duly authorized representative

8. The following papers should be attached

to the Proof of Claim:

a. Copies of all documents evidencing claimant's right, title or interest in or to the requisitioned property including evidence of actual payments for the articles or materials.

b. Executed Power of Attorney in the form

§ 81.1425 Form of certificate of fair and just compensation.

CERTIFICATE OF FAIR AND JUST COMPENSATION

The undersigned hereby declares and certifles as follows:

2. A description of the property as set forth

in the proposal is as follows:
3. The requisition for the property was executed by Robert P. Patterson, Under Secretary of War, under date of__

4. Pursuant to the requisition, the property was taken over by as evidenced by the receipt endorsed upon the requisition executed by the Under Secretary of

the property is:

6. The owner of the property has executed, in triplicate, the Acceptance of Award and Release and the three counterparts are at-tached hereto. Such release is conditioned upon payment by the United States to the

of the amount stated in such acceptance.
7. The only other persons known to have claims or interest in the property have executed disclaimers and such disclaimers and two photostat copies thereof, are hereto an-nexed. The names and addresses of such parties are as follows:

Address_ 8. Payment for the property is to be made by the United States from Allotment_____ which was stated in the proposal as having available for the payment of the property a balance of __ Such balance is sufficient to cover the pay-

ment for the property.

9. Fair and just compensation for the property requisitioned and taken over as of the date and place thereof is ___

10. The compensation should be paid to:

ferred to herein, are forwarded to _

(copies to the Legal Branch, Purchases Division, Headquarters, Services of Supply, Pentagon Bullding, Washington, D. C.), with the request that fair and just compensation for the property be determined as provided in the Act authorizing the requisitioning and the determination of the compensation and in the Executive Orders applicable thereto.

This certificate is executed, in triplicate, by a duly authorized officer of ______ this _____ day of ______, 194____

(Duly Authorized Officer)

(Chief of Supply Service) Date

§ 81,1426 Form of acceptance of award and release.

ft

In the Matter of the Claim of______Requisition, War Department No. _____ War Production Board Case No. _____

ACCEPTANCE OF AWARD AND RELEASE

hereby agrees to accept the sum of ___ _ without interest in full and complete settlement of its claim arising out of the requisitioning of the following property or materials:

It is warranted by the claimant that the ownership and interest in the above-described property and materials, at the time of the requisition thereof was as follows:

Beneficial owner: Other Claimants:

And further, in consideration of the payment by the United States to_____

of the sum of hereby releases the United States, its officers, agents, and employees from any and all claims arising from or in connection with the requisitioning and taking over by the United States of said property or materials, and hereby warrants that at the time of taking over by the United States of said property or materials said_____

(free of all liens and encumbrances) had valid title to said property_____

(subject to the following liens) and said hereby absolves the United States, its officers, agents, and employees from any and all further claims in connection with said property or materials and the proceeds of this

Provided, That this release is conditioned upon the payment by the United States to of the sum of _______ of the sum of ______ without interest.

RECEIPT

Signed_____

§ 81.1427 Form of stipulation as to amount of fair and just compensation.

In the Matter of the Claim of __.

Stipulation as to Amount of Fair and

Just Compensation
It is stipulated and agreed by between
and the United States of America: that pursuant to and in conformity with the provisions of the Act of, there was issued on
, Requisition, War De-
partment No, covering the following described property:
That War Department Requisition No was served by on

for the property covered by the subject requisition by the United States as of that date:
That all of the property shown on———and no other property was taken by the

United States under the subject requisition.

That _____ agrees to accept the sum of \$____ as full settlement of its

That fair and just compensation for the property is \$_____

> Ву_____ ______

§ 81.1428 Form of award of fair and just compensation.

AWARD OF FAIR AND JUST COMPENSATION

In the matter of_ War Department Requisition No..... War Production Board Case No....

Pursuant to authority vested in the President of the United States by Act of Congress delegated to me, I do hereby determine that, under the above-numbered requisition of the War Department the compensation in the sum of ______ is fair and just and is to be charged against allotment or appropriation _____, and do hereby direct that payment be made, as provided in the Proposal to Requisition, by

Payee: Amount:

> ROBERT P. PATTERSON, Under Secretary of War.

[SEAL]

J. A. ULIO. Major General, The Adjutant General.

[F. R. Doc. 42-12169; Filed, November 20, 1942; 1:30 p. m.]

Chapter VII-Personnel

PART 70-THE ARMY NURSE CORPS

WAIVER OF CERTAIN REQUIREMENTS

§ 70.3 Appointment and promotion. So much of paragraph (b) (2) of this section as requires an applicant for original appointment in the Army Nurse Corps to be unmarried will be waived for the duration of the war and 6 months thereafter. (40 Stat. 879, 41 Stat. 767; 10 U.S.C. 161, 164) [Sec. I, Cir. 365, W.D. Nov. 5, 19421

[SEAL]

J. A. ULIO, Major General, The Adjutant General.

[F. R. Doc. 42-12259; Filed, November 21, 1942; 12:25 p. m.]

TITLE 22-FOREIGN RELATIONS

Chapter I-Department of State

PART 58-CONTROL OF PERSONS ENTERING AND LEAVING THE UNITED STATES PUR-SUANT TO THE ACT OF MAY 22, 1918, AS AMENDED

AMERICAN CITIZENS AND NATIONALS

Pursuant to the authority vested in me by section 1 of Proclamation 2523 of the President, issued on November 14, 1941 (6 F.R. 5821) under authority of section

1 of the act of Congress approved May 22, 1918 (40 Stat. 559; 22 U.S.C. 223), as amended by the act of Congress of June 21, 1941 (55 Stat. 252; 22 U.S.C. 223, Sup. I), § 58.3 (d) of the regulations issued on November 25, 1941 (6 F.R. 6069), as amended, is hereby cancelled effective after 6 o'clock in the forenoon of December 1, 1942.

[SEAL]

CORDELL HULL, Secretary of State.

NOVEMBER 18, 1942.

[F. R. Doc. 42-12196; Filed, November 20, 1942; 5:04 p. m.1

Chapter III-Proclaimed List of Certain Blocked Nationals

SUPPLEMENT I TO REVISION IV

By virtue of the authority vested in the Secretary of State, acting in conjunction with the Secretary of the Treasury, the Attorney General, the Secretary of Commerce, the Board of Economic Warfare, and the Coordinator of Inter-American Affairs, by Proclamation 2497 of the President of July 17. 1941 (6 F.R. 3555), the following Supplement 1 containing certain additions to, amendments to, and deletions from The Proclaimed List of Certain Blocked Nationals, Revision IV of November 12, 1942 (7 F.R. 9510), is hereby promulgated.

By direction of the President:

CORDELL HULL,

Secretary of State.

RANDOLPH PAUL, Acting Secretary of the Treasury.

FRANCIS BIDDLE, Attorney General.

JESSE H. JONES,

Secretary of Commerce.

MILO PERKINS,

Executive Director, Board of Economic Warfare.

NELSON A. ROCKEFELLER Coordinator of Inter-American Affairs.

NOVEMBER 20, 1942.

GENERAL NOTES

(REVISED AS OF CUMULATIVE SUPPLEMENT NO. 1 TO REVISION IV)

(1) The Proclaimed List is divided into two parts: part I relates to listings in the American republics; part II relates to listings outside the American republics.

(2) In part I titles are listed in their letteraddress form, word for word as written in that form, with the following exceptions: If the title includes a full personal name,

that is, a given name or initial and surname, the title is listed under the surname.

Personal-name prefixes such as de, la, von, etc., are considered as part of the surname and are the basis for listing.

The listing is made under the next word of the title when the initial word or phrase, or abbreviation thereof, is one of the following Spanish forms or similar equivalent forms

in any other language: Compañia; Cia.; Comp. Compañía Anónima; C. A.; Comp. Anón.

Sociedad; Soc. Sociedad Anónima; S. A.; Soc. Anón.

(3) Addresses appearing after names on the List are not intended to exclude other addresses of the same firms or individuals. A listed name refers to all branches of the busi-

ness in the country.
(4) Revision IV of the Proclaimed List, of which this is a supplement, supersedes all previous lists published prior to November 12, 1942. The present series of supplements is cumulative, and each succeeding supplement supersedes all previous supplements to the List. Accordingly, the current Cumula-tive Supplement and Revision IV together constitute the effective List.

(5) For the convenience of users, symbols are placed after each name on the List to

indicate, by reference to the table below, the dates of the supplements or revisions in which the name first appeared, or was amended or deleted. It has not been found practicable, however, to indicate here the dates of listings made between July 17, 1941, the date of the original list, and Revision I, dated February 7, 1942. Accordingly, names appearing prior to Revision I and retained in that revision are followed only by the symbol "I". Roman numerals refer to revisions, arabic numerals to supplements. For example, a name followed by the symbols III-1, III, IV-1 signifies that the listing first appeared in Revision II, Supplement 1; was amended in Revision III; and was amended or deleted in Revision IV, Supplement 1. Since in the Cumulative Supplements deletions as well as amendments are carried in each succeeding supplement, the last of two or more symbols may reflect either an amendment or a deletion, depending on the action heading under which the listing currently appears.

I	2-7-42	11-4	7-17-42
I-1	2-28-42	II-5	7-31-42
I-2	3-27-42	III	8-10-42
I-3	4-11-42	III-1	8-28-42
I-4	5-1-42	III-2	9-18-42
п	5-12-42	III-3	10-10-42
II-1	5-22-42	III-4	10-30-42
II-2	6-2-42	IV	11-12-42
II-3	6-19-42	IV-1	11-20-42

PART I-LISTINGS IN AMERICAN REPUBLICS ARGENTINA

Additions and Amendments

Hans.—Avenida Presidente Roque Sáenz Peña (Diagonal Norte) 616, Buenos Aires. IV-1.

Barraca Dana.-Fitz Roy 1355, Bahía Blanca. IV-1.

Barraca Justesen. — España Buenos Aires. IV-1.

Barraca Nueva.-Monte de Oca 585-89, Avellaneda. IV-1.

Bernasconi, Angel.—San Juan 3765, Buenos Aires. IV-I.

Biasotti y Cia.—Buenos Aires. IV-1.

Canever, Antonio.—Colón 561, Posadas, Misiones. IV-1.

Ellinger, Adolfo F. C.-Viamonte 680. Buenos Aires. IV-1.

Ellinger, Julio P. E.-Viamonte 680, Buenos Aires. IV-1.

Ellinger y Cia., S. de R. L.—Viamonte 680, Buenos Aires, IV-1. Establecimientos América.—Avenida

de Mayo 1370, Buenos Aires. IV-1. Establecimientos Fábriles Rodi.—Vic-

toria 850, Buenos Aires; and Kilómetro 11. Wilde, F. C. S. IV-1.

Explotación Maderera y Anexos, S. A.-Avenida Presidente Roque Sáenz Peña (Diagonal Norte) 933, Buenos Aires.

Fonticelli, Juan Carlos.—Perú 347, Buenos Aires. IV-1.

¹⁷ F.R. 7877.

Fuehrer y Becker.-Otamendi 249, Buenos Aires. IV-1.

García Auladell, Manuel,-Perú 1746, Buenos Aires. IV-1.

García y Cía. M.—Perú 1746, Buenos Aires. IV-1.

Justesen, Asger.—España 1336, Buenos Aires, and Fitz Roy 1355, Bahía Blanca. IV-1

Katayama, Ryohel.-Balcarce 1471,

Buenos Aires. IV-1.

Laboratorios Cinematográficos Biasotti.-Campichuelo 553, Buenos Aires. IV-1.

Lavadero de Lanas.-Camino a La Plata, Kilómetro 12. IV-1.

Libregule Sociédad Anónima de Mandatos, y Finanzas.-25 de Mayo 145, Buenos Aires. IV-1.

Linne, Walter.—Maipú 231, Buenos Aires. IV-1.

Nord Sud Argentina Sociédad Anónima Comercial Importadora y Exportadora .- 25 de Mayo 294, Buenos Aires. IV-1.

Paetsch, Heriberto Gustavo.-Bolivia

3103, Buenos Aires. IV-1.
Peladero Bahía.—Manuel Molina 1525, Bahia Blanca. IV-1.

Peladero Córdoba, S. de R. L.-Camino a La Plata, Kilómetro 12. IV-1.

Peladero Danes.—Córdoba 651, Saran-TV-1.

Pirovano, Speranza y Cia.—Senador Morón 1450, Bella Vista, F. C. P., B. A. IV-1.

"Prodinar" Producción Industrial Argentina S. de R. L.—Honduras 3750 y Avenida Presidente Roque Sáenz Peña (Diagonal Norte) 1119, Buenos Aires. IV-1.

Publiventas.-Maipú 231, Buenos Aires. IV-1.

S. A. E. M. A., Sociedad Anónima Explotación Maderera y Anexos.—Avenida Presidente Roque Sáenz Peña (Diagonal Norte) 933, Buenos Aires. IV-1

Sternstein, Alfredo.—Libertad Buenos Aires. IV-1.

Strauss, Alfredo Juan.-Defensa 320, Buenos Aires. IV-1.

Tam, Hubmann y Cía.-Piedras 133, Buenos Aires. IV-1.

"Unibras".-- Avenida Presidente Roque Sáenz Peña (Diagonal Norte) 616, Buenos Aires. IV-1.

Deletions

Cine Ideal Monroe.-Monroe 3245. Buenos Aires. II-4; IV-1.

BOLIVIA

Additions and Amendments

Fischer, Ewaldo.-Santa Cruz de la Sierra. IV-1.

Forns Samsó, Francisco.-Ingavi 473 (Casilla 476), La Paz. I; IV-1. Address amended from Potosi 490 (Casilla 476),

Granier & Rodríguez .- Oruro. IV-1. Villarroel, Ambrosio.-Santa Cruz de la Sierra. IV-1.

Deletions

Barrientos, Emilio.-Mercado esquina Yanacocha, La Paz. I; III; IV-1.

Brito, Octavio Peña.-Avenida Camacho esquina Colón, La Paz. I; II-1; III; IV-1.

Kusćević, Juan.-Oruro and Cochabamba. II-2; IV-1.

BRAZIL

Additions and Amendments

Copiadora Brasileira Ltda.-Rua São José 65, Rio de Janeiro. IV-1.

Distribuidora Brasileira de Ferro S. A.-Rua General Câmara 90, Rio de Janeiro. IV-1.

Dobler, Adolf.—São Paulo. IV-1. Dobler, Margot.-São Paulo. IV-1

Fábrica Nacional de Papeis Helio-gráphicos Ltda.—Ozalid Brazil.—Rua Barra Funda 444, São Paulo. IV-1.

Gonzalez, Celso Ramón.—Rua General Câmara 90. Rio de Janeiro. I; IV-1. Name amended from Gonzales, Celso R.

Hermann, Alfred Friedrich.—Rua General Câmara 90, Rio de Janeiro.

Noguchi, Motozo.-Mercado Municipal, Lado Externo 100-102, Rio de Janeiro. TV-1

Ozalid Brazil-Fábrica Nacional de Papeis Heliográphicos Ltda.—Rua Barra Funda 444, São Paulo. IV-1.

Petersen e Cia., Ltda.—Rua Libero Badaró 306 (Caixa Postal 1046), São Paulo. I; IV-1. Address amended from Caixa Postal 1046, São Paulo.

Sanches e Cia., J.—Rua Campos Salles 105, Rio de Janeiro. IV-1.

Serralheria Artistica.—Rua Campos Salles 105, Rio de Janeiro. IV-1.

Urata, Tokio.—Rua Marechal Deodóro 230, Juiz de Fora, Minas Geraes. IV-1.

Deletions

Assurances Générales, Compagnie d'.-Rua Buenos Aires 70, Rio de Janeiro, and all branches in Brazil. III-1; IV-1. Colonia de Pescadores Z-1 José Boni-

facio.—Santos, São Paulo. I-1; IV-1. Condor, Ltda., Serviços Aéreos.-Avenida Rio Branco 128, Rio de Janeiro.

I; IV-1. Regnier & Anachoreta.-Rua Candelária 92, Rio de Janeiro. I; IV-1.

Seguros L'Union, Cia.—Rua Uruguayana 87, Rio de Janeiro, and all branches in Brazil. III-1; IV-1.

Servicos Aéreos Condor, Ltda.-Avenida Rio Branco 128, Rio de Janeiro, and all branches in Brazil. I; IV-1.

Syndicato Condor, Ltda.—Avenida Rio Branco 128, Rio de Janeiro, and all branches in Brazil. I; IV-1.

CHILE

Additions and Amendments

Almacén Eléctrico "Weiler".-Barros Arana 775, Concepción. IV-1.

Anker von Manstein, Fridleif.-Constitución 25, San Francisco 1801 y Maria Auxiliadora 998, Santiago. IV-1.

Aste Demartini, Domingo.—Chacabuco 2812 y Yungay 2803, Valparaiso. IV-1. Aste Hnos. y Cia.—Chacabuco 2812 y Yungay 2803, Valparaiso. IV-1.

Avendaño, Domingo.—Tomé. IV-1. "Balthasar Bruna".—Santiago. IV-1. Bodega San José.—Calle Libertad esquina Yungay, Valdivia. IV-1.

Burgemeister, Luis.-Picarte 321, Val-

divia. IV-1. CB 116 Radio Caupolicán.'—Prat 773 (Casilla 506), Valparaiso. IV-1.

Formerly known as Radio Valparaiso.

"Camisería Americana".--Avenida Argentina 328, Valparaiso. IV-1.

"Casa Imperio".-Chillán. IV-1. Danker, Federico.-Santiago. IV-1. Díaz Brantes, Humberto.—Serrano 591. oficina 70, Valparaiso. IV-1.

Di Nocera, Baltazar.—Errázuriz 664. Punta Arenas. IV-1.

Dreyer, Max.—Talcahuano and Concepción. IV-1.

Edwards Linares, Patricio.-Prat 773 (Casilla 506), Valparaiso. IV-1.

"El Mercado",-Yungay 2803, Valparaiso. IV-1.

"El Pobre Diablo",-Diego Portales 1001, Temuco; and 5 de Abril 798, Chillán. IV-1.

Empresa Arte-Film.—Serrano 591, oficina 70 (Casilla 1731), Valparaiso; and Huérfanos 1153, oficina 2, Santiago.

Estébanez Blanco, David.-Diego Portales 1001, Temuco; and 5 de Abril 798, Chillán. IV-1.

Estébanez Blanco, Emilio.-Diego Portales 1001, Temuco; and 5 de Abril 798, Chillán. IV-1.

Estébanez Blanco, Senador.—Diego Portales 1001, Temuco. IV-1.

Estébanez Hnos. y Cía., Ltda.—Diego Portales 1001, Temuco; and 5 de Abril 798, Chillán. IV-1.

Fabres, Manuel A.-Rosas 1490, Santiago. IV-1.

Fellmer, Walter.-Victoria 1057, Santiago. IV-1.

Ferrari, Josefina Aveggio de.-Simón Bolivar 440, Valparaiso. IV-1.

Ferrari, Plinio. - Simón Bolívar 440, Valparaiso. IV-1.

Ferraz P., José.—Calle Libertad esquina Yungay, Valdivia. IV-1. Frank Peitler, Alberto.-Victoria 1057.

Santiago. IV-1.

Frank y Cía., Ltda.—Victoria 1057, Santiago. IV-1.

Frindt Weldt, Osvaldo.—Prat esquina Balmaceda, Nueva Imperial. IV-1.

Frindt y Cia., Ltda.—Carahue. IV-1 Fritz Ewertz, Augusto.—Agustinas 988. Santiago. IV-1.

Fundición "Rocomaco" Soc. Ltda.-Avenida Portugal 950, Santiago. IV-1. Gesche Lichtenberg, Hermann.-Bar-

ros Arana 775, Concepción. IV-1. Gómez-Marañón y Cía.—Avenida Argentina 328, Valparaiso. IV-1.

Grau, Erich F. - Avenida Constanza 947, Santiago. IV-1.

Hauser Venegas, Tito. - Bulnes 635, Temuco. IV-1.

Hebel Haubrich, Rodolfo.-Frutillar.

Heinrich, Osvaldo.-Río Buenos. IV-1. Heinrich, Waldemar .- Rio Bueno. IV-1.

Henzi O., Teodoro.—Picarte esquina Henriquez, Valdivia; and Eleuterio Ramírez, Osorno. IV-1.

Herrera Lira, Ricardo. — Amunátegui 661, Santiago. IV-1.

Hoeck L., Javier.-Plaza Anibal Pinto 1179, Valparaiso. IV-1.

Hoeck & Warda Ltda.—Plaza Anibal Pinto 1179, Valparaiso. IV-1.

Holtz, Willy.-Blanco 1041, oficina 57, Valparaiso; and Thompson 205, Quilpé. IV-1.

Hotel Plaza.-Río Bueno. IV-1.

Hulse, Herbert.—Serrano 479, Val-paraiso. IV-1.

Hulse y Cia., Ltda., Herbert.—Serrano 479, Valparaiso. IV-1.

Kertscher y Cía., Ltda.—Colo-Colo 366, Concepción. IV-1.

Kramer, Reinaldo.-Río Bueno. IV-1. Kratzer, Hans.—Santa Victorina 369, Valparaiso, IV-1.

"La Sevillana".-Condell 1269, Valparaiso. IV-1.

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"Leche Delicias"."—IV-1. Limann, Walter.—Avenida Pedro de Valdivia 160, Santiago. IV-1.

Maison Gentil.-Calle Picarte, Valdivia. IV-1.

Maldini Tornini, Atilio.—O'Higgins esquina Rancagua, Copiapó. IV-1. Maldini Tornini, Eduardo.—O'Higgins

esquina Rancagua, Copiapó. IV-1. Maldini Tornini, Norberto.—O'Higgins

110, Copiapó. IV-1. Maldini e Hijos, Luis.—O'Higgins esquina Rancagua, Copiapó. IV-1.

Maratuca M., Kotaro.—O'Higgins 436,

Copiapó. IV-1.
Michaelis, Guillermo.—Calle Picarte, Valdivia. IV-1.

Molinera y Comercial "Koster Ltda." Soc.—Lincoyán 475, Concepción; and Villa Mora, Coronel. IV-1. Molino "Americano".—Calera. IV-1.

Molina "San Pedro".-Rancagua, TV-1

Múñoz Morales, Leovigildo.—Condell 1269, Valparaiso. IV-1. Múñoz y Cía.—Condell 1269, Valpa-

raiso. IV-1.

Okmoto, Masao.—Independencia 526,

Rancagua. IV-1. Praetorius, Federico.-Geywitz 2, San-

tiago. IV-1. Radio Caupolicán CB 116.3—Prat 773 (Casilla 506), Valparaiso. IV-1

Ramos, Emilio.-Huérfanos 920, oficina 1, Santiago. IV-1.

Restaurant Yokohama.—Independencia 526, Rancagua. IV-1.

Santo Santo, Heuki.-Sucre 1796, Tocopilla. IV-1.

Schacht Gerken, Guillermo.-Arlyon 48, Santiago. IV-1.

Schacht Troeger, Guillermo.—Avenida Pedro de Valdivia 133, Santiago. IV-1. Schacht y Cia.—Augustinas 925, Santiago; Calera and Rancagua. IV-1.

Schacht y Cia., Ltda., G.-Bernardo O'Higgins 3724, Santiago. IV-I.

Schmeider, Arturo. — Lincoyán 475, Concepción; and Villa Mora, Coronel. IV-1.

Simon, Werner,—Eleuterio Ramírez, Osorno. IV-1.

Testa S., Dante.—Berstein 12, Viña del Mar. IV-1.

Testa y Cía. Ltda., Ernesto.—Avenida Brasil 2314, Valparaiso. IV-1.

Testa y Otero Ltda.—Condell 1575. Valparaiso. IV-1.

² Trade name for the product of G. Schacht

⁸ Formerly known as Radio Valparaiso.

"Tienda Mirador."-Condell 1575, Valparaiso. IV-1.

Vidrierias Unidas.—Simón Bolívar 440. Valparaiso. IV-1.

Vogt Weber, Federico.—Calle Bilbao, Lautaro. IV-1.

Von Bennewitz, Otto.-Claro Solar 598, Temuco. IV-1.

Warda W., Martin.—Plaza Anibal Pinto 1179, Valparaiso. IV-1.

Weil Hube, Ernesto.—Frutillar. IV-1. Williams, Gladis Melita.—Antofagasta.

Witt L., Max W.—Lautaro Navarro 1186, Punta Arenas. IV-1.

Wittich, Horst.-Moneda 1118, piso 2, oficina 8, Santiago. IV-1.

Zehnoff, Juan.-Río Bueno. IV-1 Ziegler Weidner, Emilio.-Río Bueno. IV-1.

Deletions

Branchi S., Gustavo.-Blanco 1053, Valparaiso. II-5; IV-1.

Branchi & Mutis.—Blanco 1053 (Casilla 567), Valparaiso. II-5; IV-1.

Falciola, Carl Osborne.—Lira 856 (Casilla 2874), Santiago. I; IV-1. Fischer, Germán.—Valdivia 367, San-

tiago. II-1; IV-1.

Hirsch K., Martín.—Huérfanos 880, oficina 9, Santiago. I-1; IV-1.

Hoffmann Thater, Otto.—Pérez, Rosales 786, Valdivia. II-4; IV-1.

Hoffmann Thater, Pablo.-Portal Fernández Concha 960, dept. 218, Santiago. II-4; IV-1.

Industrial y Comercial Hoffmann, S. A.—Valdivia. II-4; IV-1.
Maderera "Valdivia" S. A., Cía.—Aran-

co 22, Valdivia. II-4; IV-1.

Transportes Fluviales S. A.-Yungay 231. Valdivia. II-4; IV-1.

Vatter & Hirsch Ltda.—Huerfanos 880. oficina 9, Santiago. I-1; IV-1.

COLOMBIA

Additions and Amendments

Bar Gambrinus.-Carrera 5a No. 12-21. Cali. IV-1.

Bonfanti, Angelo.-Puerto Colombia.

Castro Senior, Rafael.—Barranquilla.

Clason Berlit, José Helmuth.—San Blas, Cuartel, 20 de Julio, Barranquilla.

Clason, José Helmuth.—San Blas, Cuartel, 20 de Julio, Barranquilla. IV-1. Cohrs, Albert Edward.—"Quinta Thuringia", Avenida A. 6 y 8, Barranquilla.

Lara, Alberto.-Fundación. IV-1. Pieper, Luisa viuda de.—Carrera 5a No. 12-21, Cali. IV-1.

Prada, Luis Fernando.—Avenida Colombia, Barranquilla. IV-1.

Salchicheria Boston.-Calle Sucre, Aduana y Sabanillas, Barranquilla. IV-1. Scheuermann, Joseph.—Calle Sucre, Aduana y Sabanillas, Barranquilla. IV-1.

Gazzera, Giuseppe.—Calle 33 No. 6-37, Bogotá. II-3; IV-1.

Productos Metálicos Ltda. - Barranquilla. I-1; IV-1.

COSTA RICA

Deletions

André Arnoldo.—San José. I; IV-1. Marzal, P. C.—Apartado 1326, San José. I-2; IV-1.

Rojas Matamoras, Rafael.—San José. I-4: II-4: IV-1.

ECITADOR

Additions and Amendments

"Almacén de Musica".-Nueve de Octubre 507 (Casilla 856), Guayaquil. IV-1. Bazar Dirani.-Chile 18, Quito. IV-1. Cibelli, Clemencia Parodi de.—Haci-enda San Pablo, Naranjal. IV-1.

Feraud Guzmán, J. D.-Nueve de Octubre 507 (Casilla 856), Guayaquil. IV-1. Hacienda San Pablo.—Naranjal.

Kakabadze Inc., Dimitri.—Casilla 162, Quito. IV-1.

Sánchez Z., Víctor.—Clemente Ballén 204, Guayaquil. IV-1.

EL SALVADOR

Additions and Amendments

Bienroth, Carl.—San Salvador. IV-1. Mehltretter, Hans.-San Salvador. TV-1

Wenglein, Fritz.—San Salvador. IV-1.

HONDURAS

Additions and Amendments

Agencias Asociadas S. A.—San Pedro Sula, IV-1.

Fertsch, Werner.-San Pedro Sula. IV-1.

Fertsch & Co., Werner.-San Pedro Sula. IV-1.

Deletions

Gough, Admiral.-Roatan. II-5; IV-1. Gough, James.-Roatan. II-5; IV-1. Gough, Joseph.-Roatan, II-5; IV-1. Brothers". - Roatan. II-5; "Gough IV-1.

McNab. Winfield. - Roatan. III-1; IV-1.

MEXICO

Deletions

Southern Cross .- I-2; IV-1.

NICARAGUA

Additions and Amendments

Cuadra, Adán (Dr.) .- Granada, IV-1. Cuadra, Adán (hijo).-Granada. IV-1. Medina Morales, Raimundo.-Managua. IV-1.

PANAMA

Additions and Amendments

Almacén "Miyako". - Panamá. I; IV-1. Address amended from Avenida Central 108, Panamá.

Central American Trading Co.-Panamá. I; IV-1. Address amended from Avenida Central 47, Panamá; and Apartado 453, Ancón, Canal Zone.

Nagao & Co., Inc.-Panamá. I; IV-1. Address amended from Avenida Central 108. Panamá.

Prada, Luis Fernando.-Colón. IV-1.

PARAGUAY Deletions

EH Nacionalista.—Asunción. II-4: IV-1.

Additions and Amendments

Banchero, Angel.-Minería 189, oficina 6, Lima. IV-1. Correa & Co.-Talara, Sullana. IV-1.

Dávila & Co.—Sullana. IV-1. Duda, Hans.—Andahuaylas. IV-1.

"El Brillante".-Unión 534, Lima.

Fábrica Nacional de Levadura "Arriba".--Lima. IV-1.

Fischer, Hans.—Abancay. IV-1. González, Emilio.—Sullana. IV-1. Hacienda San Gabriel.—Abancay.

Industrial y Comercial Europa-Sud-América S. A., Cía.-Lima. IV-1.

Lacherbauer, José.—Abancay. IV-1. Luchr, Heinrich.—Andahuaylas. IV-1. Mediavilla y Carrete.—Sullana. IV-1. Modenesi, Fernando.—Cailloma 451, Lima. IV-1

Treichel, Werner.—Cuzco. IV-1. Trelles, Cirilio.—Abancay. IV-1. Zeballos, Ladislao.-Minería 189, oficina 6, Lima. IV-1.

Deletions

Yáñez, Victor.—Caridad 670, Lima. II-1; IV-1.

URUGUAY

Additions and Amendments

CX 26 Radio Uruguay.—Avenida Millán 2370, Montevideo. IV-1.

CX 34 Radio Artigas.—Avenida Millán

2370, Montevideo. IV-1. CX 50 Radio Nativa.—Avenida Simón Martínex 6080 (Kilómetro 11), Montevideo. IV-1.

CXA 2 Radio Continental.—Camino Carrasco 5151, Montevideo. IV-1.

Farmacia La Bolsa.—Uruguay 852, Montevideo. IV-1.

Fischer, Johann.—Avenida Sayago 965,

Montevideo. IV-1.
Levratto y Compañía.—Uruguay 852,
Montevideo. IV-1.
Schwartz, Walter Siegfried.—Joaquín

Requena 1204 y 25 de Mayo 731, Montevideo. IV-1. Zeck y Cía., Talleres Unidos.—Galicia

788, Montevideo. IV-1.

VENEZUELA

Additions and Amendments

Criollo, Octavio Luis,-Obispo Lazo 21 Sur, Maracaibo. IV-1.

Dubois Serrano y Cia., Carmelo.— . Ceiba a Poleo 38, Caracas. IV-1.

"El Remate".-Sociedad a Traposos

10, Caracas. IV-1.
Geyer, Helmuth.—Bocono, Estado
Trujillo. IV-1.
"Kraco".—Veroes a Jesuitas 26-Biz,

Caracas. IV-1. Perozo, José Nieves .- Edificio Chiquin-

quira, Maracaibo. IV-1.

Romano y Compañía.—Sociedad a Traposos 10, Caracas. IV-1.

Tipografía Criollo.-Obispo Lazo 21 Sur, Maracaibo. IV-1.

Wolf, F .- Veroes a Jesuitas 26-Biz, Caracas. IV-1.

Wolf y Cia., F.—Veroes a Jesuitas 26-Biz, Caracas. IV-1.

Deletions

De Egilegor, Manuel.—Punceres a Escalinatas 15 y 19 (Apartados 447 y 474),

Caracas. II-4; IV-1. Hinterlach, Carl.—Avenida Este 17 Altas (Apartado 588), Caracas. I-3; IV-1.

Hotel "Casa Domke".-Punceres a Escalinatas 15 y 19 (Apartados 447 y 474), Caracas. I-3; IV-1.

Hotel Cervantes.-Punceres a Escalinatas 15 y 19 (Apartados 447 y 474), Caracas. II-4; IV-1.

Spitzer, Isodoro.-Apartado 1705, Caracas. II-4: IV-1.

PART II-LISTINGS OUTSIDE AMERICAN REPUBLICS

IRAN

Additions and Amendments

Storch-Nielsen, H. V. E .- P. O. Box 49, Tehran. IV-1. Storch-Nielsen, Mrs. Helge.-Isfahan.

IV-1.

MOROCCO

Spanish Morocco

Deletions

Rödelheimer, H.-Kaa-el-Hafa, Tetuan. III-1; IV-1.

Tangier International Zone

Additions and Amendments

Ribeiro, Eduardo da Mota.-Hotel Fuentes, Apartado 54, Tangier. IV-1.

PORTUGAL AND POSSESSIONS

Portugal

Additions and Amendments

Barreto, Joaquim Pereira.-Rua Jardim do Regedor 5, Lisbon. IV-1.

Bostanian, Sapag (Sacha).—Hotel Atlantico, Lisbon. IV-1.

Cardigos, Antonio Fernandes.-Calcada de S. Francisco 15, Lisbon. IV-1.

Comercio Ibero-Ultramarino Ltda .-Rua Eugenio dos Santos 25-31, Lisbon. II-5; IV-1. Name amended from Comercio Ibero-Ultramar Ltda.

Continental de comissoes Ltda. Soc. Rua Jardim do Regedor 5, Lisbon. IV-1. Falcao Telles Ltda.-Rua dos Douradores 83, Lisbon. IV-1.

Guimares, Maria Jose da Silva Leite.— Praca D. Filipa de Lencastre 14, Oporto; and Rua dos Correeiros 184, Lisbon.

Guimares & Queiroz Ltda.—Rua dos Correeiros 184, Lisbon. IV-1. Heinzelmann, Albert Herman Grei-ner.—Largo Afonso 13, Faro, Algarve. IV-1

Heinzelmann, Carl Theodor Greiner .-Largo Afonso 13, Faro, Algarve. IV-1. Heinzelmann, Julius Adolf Greiner.—

Largo Afonso 13, Faro, Algarve. TV-1.

Heinzelmann, Reinhold Greiner.— Largo Afonso 13, Faro, Algarve. IV-1. "Ibex"-Iberica Exportadora Ltda.-Rua Garrett 62, Lisbon. IV-1.

Lentz, Dr. O. H. Waldemar.—Rua da Emenda 79, Lisbon. IV-1.

Lerider, Helmuth.-Lisbon. IV-1.

Neves, Carlos da Silva.-Rua Jardim do Regedor 5, Lisbon. IV-1. Ribeiro, Eduardo da Mota.—Rua Gar-

rett 62, Lisbon. IV-1.

Sa, Matilda Helena Queiroz Franco.-Praca D. Filipa de Lencastre 14, Oporto, and at Lisbon. IV-1.

Uva, Francisco de Sousa.-Rua de Sao Paulo 117-121, and Rua da Boavista 110-112, Lisbon. IV-1.

Uva & Weltzien Ltda.-Agencia Krupp.—Rua da Sao Paulo 117-121, and Rua da Boavista 110-112, Lisbon. IV-1,

Weltzien, Kuno.—Rua de Sao Paulo 117–121, and Rua da Boavista 110–112, Lisbon, IV-1.

Deletions

D'Oliveira, F., Ltda.-Rua Arco do Bandeira 112, Lisbon. I; IV-1.
Rosario, Julio Ferreira do.—Rua dos Fanqueiros 262, Lisbon. II-1; IV-1.

PORTUGUESE GUINEA

Deletions

Brandao, Manuel de Pinho.-Bolama.

Elawar & Co., Mahmud.—Bafata, Bissau, and all branches in Portuguese Guinea. II-5; IV-1.

Souleiman, Alatrach.—Bafata, Bissau, and all branches in Portuguese Guinea. II-5; IV-1.

SPAIN AND POSSESSIONS

Spain

Additions and Amendments

Areizasa, Anastasio de.-Mazarredo 7, Bilbao. IV-1.

Aresti, Jose.-Mazarredo 7, Bilbao. IV-1.

Arisqueta, Lino.—Mazarredo 7, Bilbao.

Astigarraga, Hijos de-Cia. Nav. Bachi.-Bertendona 4-1, Bilbao, III-4; IV-1. Name amended from Astigarraga, Hijos de.

Bachi, Cia. Nav. (Hijos de Astigarraga) (Owners of S. S. "Bachi", "Bartolo", "Juan de Astigarraga", "Kauldi", "Manuchu", and "Tom").—Bertendona 4-1, Bilbao. III-4; IV-1. Name amended from Bachia, Cia. Nav. (Owners of S. S. "Bachi", "Bartolo", "Juan de Astigar-raga", "Kauldi", "Manuchu", and "Tom").

Benito del Valle y Hnos. (Sucrs. de la Viuda de Larrinaga) .- Bailen 5 and 7, Bilbao. III-4: IV-1. Name amended from Valle y Hnos., Benito de (Sucrs. de la Viuda de Larrinaga).

Buergi, Martin.—Via Layetana 23, Barcelona. IV-1.

Cabrera, Angel.—Ave. Reina Victoria

28, Madrid. IV-1. Churruca, Alfonso de.—Mazarredo 7, Bilbao. IV-1.

Dana S. A. (Fabrica de Perfumeria) .-Napoles 166, Barcelona, and at Madrid.

Filmes Espanoles Soc. Anon. (S. A. F. E.) .- Marques de Riscal 10, Madrid. IV-1.

Forster, Max E.—Gandia. Frutal, S. L.—Gandia. IV-1.

Girbal, Jose.—Palafrugell. Gallart

Guillermo. - Palafrugell. Genover. IV-1.

Ghiata, Jon.-Hotel Urbis, Barcelona. IV-1.

Gomez Monche, Jose.—Genova 7, Madrid. I; IV-1. Name amended from Gomes Monche, Jose.

Grilli, D. Renato.—Irun. III-2; IV-1. Name amended from Grilli, D. Renato (Owner of S. T. "Primer Enrique" and S. T. "Segundo Enrique").

Grizalba, Ruiz de.-Ave. Reina Victoria

28, Madrid. IV-1.

Guardiola Sangenis, Joaquin.-Plaza de las Cortes 4, Madrid; and Plaza Tetuan 2, Barcelona. IV-1.

Guzman Martinez, Enrique.—Maza-rredo 7, Bilbao. IV-1. Hegin, Erika (Sra. Riveras de la Por-

tilla) .- Goya 67, Madrid. IV-1.

Iglesias, Simon Felix.-Jimenez Quesada 2, Madrid; and Ribera 1, Bilbao. TV-1.

Iglesias S. L., Hijos de Felix.—Ribera 1, Bilbao. IV-1.

Industrias Sanitarias S. A.—Ave. Jose Antonio Primo de Rivera, Barcelona, and all branches in Spain. III-3; IV-1. Address amended from Paseo Gracia 48, Barcelona.

Labourdette, Juan Bautista.—Ave. Salis Irun. III-2; IV-1. Name amended

from Labourdette, Juan Batista.

Lipperheide, Francisco.-Norte 8, Valencia; and Via Layetana 15, Barcelona, and other addresses in Barcelona. IV-1. Lipperheide, Jose.-Mazarredo 7, Bil-

bao. IV-1.

Manufacturas Espanolas de Vidrio al Soplete S. A.—Rambla Cataluna 97, and Aribau 153, Barcelona. II-5; IV-1. Address amended from Badalona.

Marotta y d'Errico Construcciones S. .-Caballero de Gracia 15, Madrid.

IV-1.

Marotta, Miguel.—Caballero de Gracia

15. Madrid. IV-1.

Palau, Emanuele. — Hotel Granvia, Madrid; and Hotel Oriente, Barcelona. IV-1.

Platte, Federico.-Al. Recalde 45. Bilbao; and Ronda Universidad 33, Barcelona. I; IV-1. Address amended from Al. Recalde 45, Bilbao.

Productos Aromaticos Espanoles. Consejo de Ciento 469, Barcelona. IV-1. Rating, Otto.-Via Layetana 128, Bar-

celona. IV-1. Schultz, Jose. - Elcano 22, Bilbao. - IV-1

Sena, Gregorio.-Mazarredo 7, Bilbao. IV-1.

Deletions

Mannos S. A., Cuchilleria.—Muntaner 178, Barcelona. I; IV-1.

Ordinas Carrascosa, Juan.-Serrano 91, Madrid; and Trafalgar 25, Barcelona. I-3: IV-1.

FERNANDO PO AND SPANISH GUINEA

Additions and Amendments

Elgorriaga Ayesteran, Francisco.— Santa Isabel. IV-1.

Sendros Roig, Salvador.—San Carlos and Santa Isabel. IV-1.

SWEDEN

Additions and Amendments

Bahner, Ludwig.—Kilian Zollsgatan 7, Malmo. II-4; IV-1. Address amended from Lund.

Internat A/B .- Malmo. II-4; IV-1. Address amended from Lund.

Jakobsson, David Sture Albert.— Stureplan 19, Stockholm. III-1; IV-1. Name amended from Jacobsson, David Sturet Albert.

Jakobsson, Mrs. Karin Matilda.— Stureplan 19, Stockholm. III-1; IV-1. Name amended from Jacobsson, Mrs. Karin Matilda.

Tripasin A/B.—Industrigatan 19, Malmo. IV-1.

Unic A/B.-Norrlandsgatan 31-33, Stockholm. III-1; IV-1. Address amended from Birger Jarlsgatan 5, Stockholm.

Vaxjo Mekaniska Verkstad Nya A/B .--Vaxjo. IV-1.

SWITZERLAND

Additions and Amendments

Aubert, Jacques.—Bvd. du Theatre 5, Geneva. IV-1.

"Bafinag" Bau-Finanzierungs A. G.— Postgasse (Bureau Dr. Kubli), Glarus.

Bertrams A. G., Heinrich.—Vogesenstr. 101, Basel. IV-1.

Briket-Umschlags und Transport A. G.-Muttenz. IV-1.

Brupbacher, C. G.-Seefeldstr. 77, Zürich. IV-1

Cattoretti & Frei.-Lugano. IV-1. Christoff, Sava.—Winterthurerstr. 304, Zürich. III-1; IV-1. Address amended from Stockerstr. 54, Zürich.

Faserstoffe A. G.-Untere Hennebuehlestr. 6, Zug; and Talstr. 83, Zürich.

Fleig, A. G.-Burgfeldstr. 8, Basel.

Ghiata, Jon.-Hotel Schweizerhof, Zürich. IV-1.

Giusfor S. A.-Via Soldini 25, Chiasso. IV-1.

Gleerup, Peter.-Zollikon. IV-1. Lentz, Dr. O. H. Waldemar. - Hotel Baur au Lac, Zürich. IV-1. Lerider, Helmuth.—Zürich.

Lin, Louis.-Rue du Belvedere 2, Geneva. IV-1

Maegerle A. G. Gebr., Uster Fabrik für Werkzeugmaschinen und Vorrichtungsbau.-Uster, Zürich. IV-1.

Magnesium, S. A., pour la Fabrication du.—Ave. de la Gare 12, Lausanne. IV-1.

Mandel, Josef.—Hotel Schweizerhof, Zürich IV-1. Martin-Achard, Edmond.-Rue Diday

10, Geneva. IV-1. Mercedes Buromaschinen A. G.-Tal-

str. 11, Zürich. IV-1.

Mumenthaler, Max.—Bahnhofstr. 61,
Zürich, III-2; IV-1. Name amended

from Mummenthaler, Max.

Mumenthaler, Walter.—Bahnofquai 7, Zürich. III-2; IV-1. Name amended from Mummenthaler, Walter.

Naef, Albert.-Neugasse 49, St. Gallen. TV-1.

"Neptun" Transport und Schiffahrts A. G. ("Neptun" Societe de Transport de Navigation) .- Hafenstr. 19, Basel. IV-1.

Odermatt, Frl. Gerta L .- P. O. Box 47, Zürich-Neumunster, and Florastr. 21, Zürich. IV-1.

"Orient" Handels G. m. b. H. Bratislava Zweigniederlassung Zurich.-Loewenstr, 2, Zürich. IV-1.

Oxyda A. G.-Talstr. 83, Zürich. IV-1.

"Transorient" S. A.-Loewenstr. 2, Zürich. IV-1.

Ultimo, A. G.-Borsenstr. 18, Zürich.

Unternehmungen und Bauarbeiten A. G.—Bahnhofstr. 89, Zürich. IV-1.

Weltmode A. G.-Seidengasse 17, Zürich. IV-1.

Deletions

Kartro A. G.-Bahnhofstr. 86. Zürich. I: IV-1.

Tarex S. A.-La Jonction, Geneva. I;

Vlasov, Alexander, - Lausanne.

TURKEY

Additions and Amendments

Nikitits, J. Erben, Sucr. Richard Nikitits.-Nur Han, Sirkeci, Istanbul. IV-1.

[F. R. Doc. 42-12246; Filed, November 20, 1942; 11:52 a. m.]

TITLE 24—HOUSING CREDIT

Chapter IV-Home Owner's Loan Corporation

[Bulletin No. 131]

PART 403-PROPERTY MANAGEMENT DIVISION BULLETIN

DISPOSITION OF DEPOSIT

Section 403.10-15 is amended to read as follows:

§ 403.10-15 Disposition of deposit. Deposits of prospective purchasers received by the Property Management Division shall be properly identified and promptly turned over for safekeeping to the Regional Treasurer who shall receipt for same. Upon advice from the Regional Manager that the agreement for sale has been executed on behalf of the Corporation, the Regional Treasurer shall promptly deposit such item; upon advice from the Regional Manager that the agreement for sale has been rejected by the Corporation, the Regional Treasurer shall promptly transmit such safekeeping item to the Property Management Division which shall thereupon promptly return such deposit to the party entitled thereto, either directly or through the contract sales broker, and advise the broker and all other interested parties of such rejection.

(Secs. 4 (a), 4 (k), 48 Stat. 129, 132, as amended by sec. 13, 48 Stat. 647; 12 U.S.C. 1463 (a), (k); E.O. 9070, 7 F.R.

Effective November 1, 1942.

J. FRANCIS MOORE, [SEAL] Secretary.

[F. R. Doc. 42-12205; Filed, November 21, 1942; 9:29 a. m.]

(Bulletin No. 128)

PART 407-TREASURY DIVISION

RECEIPTS, ETC.

Sections 407.21-6 and 407.21-15 of the Code of Federal Regulations are revoked. The second paragraph of § 407.33-40 is amended to read as follows:

§ 407.33-40 Receipts. When authorized by the Regional Manager to complete a transaction involving the sale of non-expendable or expendable property (including waste paper), the collector shall issue Form 107 in exchange for the moneys received. The receipt must show the name and address of the purchaser, the sale number and a notation as to the type of material sold. The original shall be given to the purchaser and the accounting copy must accompany the payment to the collection office, where Form 18-B-1 shall be prepared in quintuplicate and the original and two copies thereof included in the transmittal to the Regional Treasurer, and one copy to the accountable Regional Manager.

The first and third paragraphs of § 407.52 are amended, respectively, to read as follows:

§ 407.52 Requests to review abstracts and other documents. Where a mortgagor or the owner of the property on which the Corporation has a loan desires to examine the abstract of title to his property or any other document in the file which he may be entitled to examine, he shall make his request to the Regional Treasurer who shall permit the borrower or owner or his duly authorized agent to examine such abstract or other document in the regional office.

Where the Regional Counsel determines that it is necessary or desirable in connection with a contract of sale of the Corporation's property to deliver for examination or continuation any abstract, title policy or other evidence of title, survey, plat or other documents in the file to the contract purchaser or his attorney, title company or abstract company, he shall obtain such documents from the Regional Treasurer, and may deliver the same or forward by mail or express to the contract purchaser or his attorney, title company or abstract company. Said transmittal may be through a fee attorney, title or abstract company representing the Corporation. Such documents may likewise be forwarded by the Regional Counsel to a fee attorney, title or abstract company representing or acting for the Corporation for the purpose of examination, continuation or any other purpose in connection with a sale of property. The expenses of any such transmittal and return expenses may be paid by the Corporation as a Corporation expense. Receipts containing an agreement to return as and when required shall be taken.

(Secs. 4 (a), 4 (k), 48 Stat. 129, 132, as amended by sec. 13, 48 Stat. 647; 12 U.S.C. 1463 (a), (k); E.O. 9070, 7 F.R. 1529)

Effective November 2, 1942.

[SEAL] J. FRANCI MOORE, Secretary.

[F. R. Doc. 42-12203; Filed, November 21, 1942; 9:29 a. m.]

[Bulletin No. 127]

PART 410—PURCHASE AND SUPPLY SECTION BULLETIN

EMERGENCY PURCHASES, ETC.

Section 410.03 is amended to read as follows:

§ 410.03 Emergency purchases. Purchase of supplies and equipment not exceeding \$25.00 in any one instance may be made by Regional Managers, under limitations and procedure prescribed by the General Manager with the approval of the General Counsel, or as may be hereafter prescribed under the regulations of the Corporation.

The first paragraph of § 410.03-1 is amended to read as follows:

\$410.03-1 Purchases by Regional and State Managers. Regional Managers may purchase supplies in amounts not to exceed \$25.00 in any one instance without prior approval from the Home Office Purchase and Supply Section: Provided, however, That such authority shall not extend to typewriter repair charges exceeding \$10.00 or to the purchase of nonexpendable equipment. Prior authority must be obtained from the Home Office where the amount involved will exceed \$25.00.

The first paragraph of § 410.06-1 is amended to read as follows:

§ 410.06-1 Sales of non-expendable and expendable property. Except as otherwise provided, no sales of non-expendable property, and no sales or other disposition of expendable property (including waste paper) may be made by any officer or employee without obtaining the prior written approval of the General Manager, and requests for authority to sell non-expendable property or to sell or otherwise dispose of expendable property (including waste paper) shall be submitted to the Purchase and Supply Section in the home office on Form 741, on which the accountable Regional Manager shall indicate the justification for sale or other disposition.

The third paragraph of § 410.06-2 is amended to read as follows:

§ 410.06-2 Remittance by purchaser.

Where a sale of such property located at a field station is authorized and approved, the purchaser shall make payment therefor to the collection office if such an office is maintained at that place; if there is no such collection office, the purchaser shall make payment to any loan service representative, property management representative, field supervisor or other employee of the Loan Service or Property Management Division who has been specially authorized to make collections from borrowers or from tenants or purchasers of real property and who is designated by the accountable office manager to receive the purchaser's payment in a particular case; and such persons may execute receipts therefor on the appropriate form to the purchaser. Such payments made to a collection office or to such other authorized person shall be handled, accounted for and reported to and by the Regional Treasurer as provided in Part 407 of this Chapter and Chapter VII of the Consolidated Manual.

The second paragraph of § 410.07b is amended to read as follows:

§ 410.07b Authorization to incur expense. * *

The authority herein conferred upon the Director of the Purchase and Supply Section to certify as to receipt of and administratively approve vouchers for purchases and services may be exercised also by the Regional Managers, under procedure and limitations prescribed by the General Manager and the General Counsel, or as may be hereafter prescribed under the regulations of the Corporation.

The third, fourth, and sixth paragraphs of § 410.07-1 are amended, respectively, to read as follows:

§ 410.07-1 Authorization to pay expense. * *

Payment for the purchase of such supplies, equipment and services as well as for such recurring services, shall be made on a properly prepared voucher certified as to delivery and administratively approved by the Director of the Purchase and Supply Section, when for the home office and by the Regional Manager, when for field offices, for purchases previously authorized as provided in \$410.07, and when duly certified for payment by the Auditor.

Payment for the purchase of law books, law periodicals, law publications and like material for law libraries, as provided in § 406.17 of Part 406, for the home office, shall be made on properly prepared vouchers certified as to delivery and administratively approved by the General Counsel, and when duly certified for payment by the Auditor. For field offices, such vouchers shall be signed by the Regional Counsel, as receiving officer, and forwarded to the General Counsel in the home office for approval.

Where it is to the definite advantage of the Corporation, a 10 percent over or under delivery, in quantity only, may be accepted at the discretion of the Director of the Purchase and Supply Section, when for the home office and by the Regional Manager, when for field offices, on deliveries of supplies and forms only. Properly approved vouchers, including this variation in quantity, shall be paid when certified for payment by the Auditor.

(Secs. 4 (a), 4 (k), 48 Stat. 129, 132, as amended by sec, 13, 48 Stat. 647; 12 U.S.C. 1463 (a), (k); E.O. 9070, 7 F.R. 1529)

Effective November 2, 1942.

[SEAL] J. FRANCIS MOORE, Secretary.

[F. R. Doc. 42-12207; Filed, November 21, 1942; 9:30 a. m.]

[Bulletin No. 129]

PART 411—PERSONNEL DEPARTMENT FEES AND COMMISSIONS

Section 411.13 is amended to read as follows:

§ 411.13 Fees and commissions. Employees of the Corporation are prohibited from receiving, directly or indirectly, fees, commissions or other incidental compensation in connection with the sale or management of property securing a mortgage or other lien held by the Corporation, or in connection with its real or personal property, or any other compensation or fees in connection with the business of the Corporation not authorized or provided by the Regulations of the Corporation.

Effective November 1, 1942.

(Secs. 4 (a), 4 (k), 48 Stat. 129, 132, as amended by sec. 13, 48 Stat. 647; 12 U.S.C. 1463 (a), (k), E.O. 9070; 7 F.R. 1529)

[SEAL]

J. Francis Moore, Secretary.

[F. R. Doc. 42-12204; Filed, November 21, 1942; 9:29 a. m.]

[Bulletin No. 139]

PART 412—TRAVEL REGULATIONS; PER DIEM ALLOWANCE

SECTION RENUMBERED

Section 412.01-3 of the Code of Federal Regulations is renumbered § 412.02-19.

(Secs. 4 (a), 4 (k), 48 Stat. 129, 132, as amended by sec. 13, 48 Stat. 647; 12 U.S.C. 1463 (a), (k), E.O. 9070; 7 F.R. 1529)

Effective November 15, 1942.
[SEAL] J. FRANCIS MOORE,
Secretary.

[F. R. Doc. 42-12206; Filed, November 21, 1942; 9:30 a. m.]

[Bulletin No. 133]

PART 413—RENTAL AND CONTRACTS FUNCTIONS, APPROVAL OF LEASE, ETC.

Section 413.00 is amended to read as follows:

§ 413.00 Functions. The Treasurer of the Corporation is responsible for the safekeeping of all leases and contracts made in behalf of the Corporation for office space and electric and telephone service used in connection with office space of the Corporation, while same are in his custody; and the Rental and Contracts Section, under his control and direction, shall maintain necessary records in connection therewith. The Treasurer is authorized to transmit to the General Accounting Office any and all papers and documents requested by that office pursuant to law.

All leases or contracts for the rental of office space shall be approved by the General Manager with the advice of the General Counsel.

Prior to the execution of any contract for electric service, except where payment for such service in accordance with the lease is included in the monthly rental or is to be made to the lessor based on meter readings (at approved rates of the Public Utilities Commission of the State), the approval of the General Manager, with the advice of the General Counsel, is required.

Contracts for telephone service may be executed by the General Manager with the advice of the General Counsel; such contracts for service for regional offices and field stations may be executed by the Regional Manager with the advice of the Regional Counsel.

Section 413.00-2 is amended to read as follows:

§ 413.00-2 Approval of lease, Managers in field offices shall make all reasonable effort to obtain space in a Federal, State, municipal or other public building, free of charge. When free space is not obtainable, requests for authority to lease office space shall be forwarded to the Treasurer in the home office who, after obtaining approval of the General Counsel as to the form of lease, shall submit the request and lease to the General Manager for approval. When necessary approvals have been obtained, the Treasurer will notify the Manager who requested authority to lease office space, and upon receipt of such notification the Manager is authorized to execute the lease on behalf of the Corporation.

Section 413.00-3 is amended to read as follows:

§ 413.00-3 Payment of rent. The standard Corporation form of lease provides that payment for rent shall be made at the end of each monthly period. Vouchers for the payment of rent shall be prepared monthly on Standard Government Form 1034, approved by the Regional Manager having jurisdiction and forwarded to the Auditor. Upon administrative certification of the vouchers by the Auditor, payment will be made direct to the payees by the Treasurer of the Corporation.

Section 413.00-5 is amended to read as follows:

§ 413.00-5 Telephone service. Contracts for monthly telephone service in the regional offices and field stations shall be prepared in quadruplicate on HOLC Form 706 (Standard Government Form 40, Revised), in accordance with instructions for the use of that form. Such contracts when executed shall be forwarded to the Treasurer in the home office.

The Regional Manager is authorized to approve vouchers covering telephone services rendered the offices within his jurisdiction under properly approved contract.

Section 413.00-6 is amended to read as follows:

§ 413.00-6 Contracts for electric service. In those cases where the lease of office space does not provide for the payment of electric service to the lessor, either in the form of rental, or on the basis of meter readings as stipulated in the rental agreement, and it is necessary to contract for such service with a person or company other than the lessor, the request to execute such contract shall

be forwarded to the Treasurer in the home office. The contract for electric service shall not be executed by the Regional Manager until receipt of notice from the Treasurer that the General Manager has approved the request.

Contracts for electric service shall be prepared in quadruplicate on U. S. Standard Government Form 33, Revised, and forwarded to the Treasurer in the home

The Regional Managers are authorized to approve vouchers covering electric service rendered the offices within their respective jurisdictions under properly approved contracts.

Section 413.03 is amended to read as follows:

§ 413,03 Cancelation of rental agree-When the rented office space ments. for a regional office, field station or collection office is released in whole or in part, written notice on forms provided therefor as required under the terms of the lease shall be given by the official directly supervising such office or station to the lessor or his agent, identifying the space to be released and designating the effective date for the operation of the release. The Treasurer shall submit a statement of the space to be released and the space to be retained and the cost thereof to the General Manager, who is authorized to approve the same.

Section 413.03-1 is amended to read as follows:

§ 413.03-1 Notice of cancelation. Three copies of the notice of the cancelation, Form 74-A, of lease or rental contracts, whether in whole or in part, showing the acceptance in writing by the lessor shall be forwarded through the Regional Manager to the Treasurer in the home office.

Section 413.03-2 is amended to read as follows:

§ 413.03-2 Forms used. On the effective date for the release of space, in whole or in part, the manager of the office concerned shall cause to be executed by the lessor Form 147, 147-A, 147-B or 147-C for space to be released in whole or in part, and forward the original and two copies thereof to the Treasurer in the home office.

(Secs. 4 (a), 4 (k), 48 Stat. 129, 132, as amended by sec. 13, 48 Stat. 647; 12 U.S.C. 1463 (a), (k); E.O. 9070, 7 F.R. 1529)

Effective November 1, 1942.

[SEAL] J. FRANCIS MOORE, Secretary.

[F. R. Doc. 42-12202; Filed, November 21, 1942; 9:29 a. m.]

TITLE 25-INDIANS

Chapter I-Office of Indian Affairs

Subchapter V-Trading With Indians

PART 277—TRADERS ON NAVAJO, ZUNI, AND HOPI RESERVATIONS 1

RECORDS, REPORTS, ETC.

Sections 277.7, 277.16, 277.21 are amended to read as follows:

13 F.R. 1690.

§ 277.7 Records, reports and obligations of traders. Each trader shall keep in a form approved by the Commissioner of Indian Affairs accurate records of his business activities and render-annually not later than March 1 a report to the superintendent showing capital investment, increases and withdrawals, whether in the form of cash, merchandise, or other property; the value of buildings and improvements, furnishings and fixtures, miscellaneous assets such as automobiles, trucks, or other property essential to the business; a complete record of all liabilities, including accounts, bills and notes payable, and the amount of cash received and disbursed, balances, whether on hand, on deposit, or due the store; the accounts, and notes receivable, and the pawns or pledges taken. The names and respective interests of all persons participating in the business shall be furnished.

The price of all articles of merchandise placed on sale shall be plainly and visibly marked by the trader. (Sec. 5, 19 Stat. 200, 31 Stat. 1066; Sec. 10, 32 Stat. 1009; 25 U.S.C. 261, 262)

§ 277.16 Security. Traders may accept pawns or pledges of personal property for security of accounts due to them by Indians. Traders shall be liable for the market value of all pawns or pledges held by them. The market value shall be settled by agreement between the Indian and the trader at the time of the transaction. In all cases where pawns or pledges are accepted by the trader a written receipt shall be given the Indian showing (a) the date of the transaction, (b) the nature of the pawn or pledge. (c) the amount loaned thereon, and (d) its market value as agreed upon between the Indian and the trader. A pawn or pledge not redeemed within 11 months shall be displayed in a conspicuous place in the trader's store for a period of 30 days together with a notice stating that unless the amount due, which shall be specified, is paid before the expiration of the 30 days, such pawn or pledge will be forfeited. At the expiration of 12 months from the date of the original loan, a pawn or pledge not redeemed shall become the property of the trader. in which event the amount due shall be cancelled on the trader's books. Notice of such cancellation shall be given in writing to the interested Indian.

On the Navajo Reservation the period for the redemption of a pawn or pledge shall be 6 months unless at least 30 days prior to the expiration of such period not less than 25% of the amount due has been paid, in which case the redemption period shall be 8 months; an additional period of two months shall be added to the redemption period for every additional 25% of the amount due that may be paid. The provisions of the first paragraph of this section with respect to display, forfeiture, and payment within any 30 days period of grace, shall be applicable also to pawns or pledges taken on the Navajo Reservation. (Sec. 5, 19 Stat 200, 31 Stat. 1066; Sec. 10, 32 Stat. 1009; 25 U.S.C. 261, 262)

§ 277.21 License fee. Every licensed trader shall pay in advance a license fee of \$25.00 a year for the privilege of trading with the Indians. The fee when received shall be deposited to the credit of the account "Indian Moneys, Proceeds of Labor, Navajo Agency (or Hopi or United Pueblos Agency)" and placed at the disposal of the superintendent to be expended by him in the enforcement of the regulations in this part.

On the Navajo Reservation, this license fee shall be paid on the basis of a calendar year regardless of any change in management or ownership of the business covered by the license unless the license be cancelled for cause. When a license is issued following the cancellation of a license for cause or when a new business is established after the beginning of a calendar year, the license fee shall be determined on a quarterly basis, but the quarterly fee of \$6.25 shall be charged also for a fraction of any quarter of a year. A transfer fee of \$5.00 shall be collected whenever a still unexpired license is transferred or assigned during a calendar year to a new owner or manager of a trader's business.

Deposits made by a temporary licensee under this part as provided by § 277.12 shall be refunded in the event a license is not issued unless the temporary licensee conducts a trading business during the period of temporary operation in which event the temporary licensee shall be charged a fee on the quarterly basis for the period during which the business was conducted and the balance of the deposit shall be refunded. (Sec. 5, 19 Stat. 200, 31 Stat. 1066; Sec. 10, 32 Stat. 1009; 25 U.S.C. 261, 262)

OSCAR L. CHAPMAN, Assistant Secretary.

NOVEMBER 5, 1942.

[F. R. Doc. 42-12222; Filed, November 21, 1942; 10:20 a. m.]

TITLE 32-NATIONAL DEFENSE

Chapter VI—Selective Service System
[Amendment 94, 2d Ed.]

PART 614—GROUPING AND SERIAL NUMBER-ING REGISTRATION CARDS

MISCELLANEOUS AMENDMENTS 1

By authority vested in me as Director of Selective Service under 54 Stat. 885; 50 U.S.C., Sup. 301–318, inclusive; E.O. No. 8545, 5 F.R. 3779, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend paragraph (b) of § 614.6 to read as follows:

§ 614.6 Registrants residing within the local board area; grouping of Registration Cards. * * *

(b) The local board shall place in Group 1 the Registration Card (Form 1) of each registrant whose date of birth as given on line 5 of such card shows that he is within the age group required to be registered by the first proclamation of

the President. Each succeeding proclamation added a new age group. The local board shall place in Group 2 the Registration Card (Form 1) of each registrant in the new age group added by the second proclamation of the President, shall place in Group 3 the Registration Card (Form 1) of each registrant in the new age group added by the third proclamation of the President, shall place in Group 4 the Registration Card (Form 1) of each registrant in the new age group added by the fourth proclamation of the President, shall place in Group 5 the Registration Card (Form 1) of each registrant in the new age group added by the fifth proclamation of the President, and shall place in Group 6 the Registration Card (Form 1) of each registrant in the new age group added by the sixth proclamation of the President. After carefully checking the date of birth of the registrant as set out in answer to question 5 on the face of the Registration Card (Form 1), the local board shall place each card in the group in which it belongs. The following table will assist the local board to determine the group in which each Registration Card (Form 1) should be placed:

TABLE OF AGE GROUPS

Group I. Registrants born on or after October 17, 1904, and born on or before October 16, 1919.

Group 2. Registrants born on or after October 17, 1919, and born on or before July 1, 1920.

Group 3. Registrants born on or after July 2, 1920, and born on or before December 31, 1921; and registrants born on or after February 17, 1897, and born on or before October 16, 1904.

Group 4. Registrants born on or after April 28, 1877, and born on or before February 16, 1897.

Group 5. Registrants born on or after January 1, 1922, and born on or before June 30, 1924.

Group 6. Registrants born on or after July 1, 1924, and born on or before December 31, 1924; and those reaching the eighteenth anniversary of the day of their birth on or after January 1, 1943.

These regulations will hereinafter refer to Registration Cards (Form 1) or registrants as being in "Group 1," "Group 2," "Group 3," "Group 4," "Group 5," or "Group 6." Whenever such reference is made, it is intended that the determination of the group in which a particular Registration Card (Form 1) or registrant belongs will be made by using the foregoing table.

2. Amend § 614.21 to read as follows:

§ 614.21 Chairman to call meeting. The chairman of the local board shall convene a meeting of his local board some time during the week of January 4, 1943. At this meeting, the local board shall complete the steps set forth in §§ 614.22 to 614.27, inclusive.

3. Amend the regulations by adding a new section to be known as § 614.24-3 to read as follows:

§ 614.24-3 Disposition of Registration Cards in Group 5. (a) A strip shall be cut from an unused gray-colored Registration Card (Form 1) and pasted across

² See issues of January 20 and June 20, 1942,

the top of the face of each Registration Card (Form 1) in Group 5.

(b) The Registration Cards (Form 1) in Group 5 shall then be given late-registrant serial numbers in the manner provided in Part 616.

4. Amend § 614.25 to read as follows:

§ 614.25 Serial numbering Registration Cards in Group 6. (a) The local board shall arrange the Registration Cards (Form 1) of registrants in Group 6 in a pile according to their respective dates of birth so that the cards of registrants born on July 1, 1924, will be on the top, the cards of registrants born on July 2, 1924, will follow the cards of those born on July 1, 1924, the cards of registrants born on July 3, 1924, will follow the cards of those born on July 2, 1924, and so on to the bottom of the pile where the cards of those born on December 31, 1924. will be located. Thereafter the cards of registrants born on or after January 1, 1925, will be placed on the bottom of the pile, chronologically, according to their birth dates. When the local board has cards for two or more registrants born on the same date, such cards shall be arranged in alphabetical order.

(b) If a Registration Card (Form 1) of a registrant in Group 6 is received from another local board before the commencement of serial numbering of registration Cards (Form 1) in Group 6 and the other local board has erroneously entered a serial number thereon, such serial number shall be crossed out and the card shall be arranged in the pile of Registration Cards (Form 1) of registrants in Group 6 in the manner provided in paragraph (a) of this section and shall be given a new serial number in the manner provided in paragraph

(c) of this section.

(c) The local board shall then place on each Registration Card (Form 1) in Group 6 a serial number. Each serial number in Group 6 shall be preceded by the letter "W." The top card in the pile shall be numbered "W-1," the card next to the top shall be numbered "W-2," and so on until all cards are numbered consecutively. No serial number should be skipped or used more than once. It is of vital importance that great care be used in arranging the cards according to the birth dates of the registrants (and alphabetically as to the registrants born on the same date). If any card, not in its proper place, is given an erroneous serial number, such serial number shall be canceled and the card shall be treated as if it were the card of a late registrant and shall be given a serial number in the manner provided in Part 616. No card received after the serial numbering is commenced shall be included, but such card shall be treated as the card of a late registrant and shall be serial numbered in the manner provided in Part 616.

5. Amend § 614.26 to read as follows:

§ 614.26 Preparing lists of registrants in Group 6. When the serial numbering of Registration Cards (Form 1) in Group 6 for registrants who became 18 years of age on or before December 31, 1942, has been completed and carefully checked, the local board shall make up at least four copies of List of Registrants (Form

3B) for such group which shall be disposed of in the manner provided in § 615.41. Registrants will be listed in the order of their serial numbers with the name of the registrant having "W-1" at the top of the list. As each page of the List of Registrants (Form 3B) is completed, a check should be made of the column containing the dates of birth of the registrants to be sure that all registrants listed on the page have received their serial numbers in the proper order. All serial numbers from "W-1" to the largest "W" serial number used shall be listed. At the time serial numbers are being placed on the List of Registrants (Form 3B), order numbers may also be entered thereon in the manner provided in paragraph (b) of § 615.41.

6. Amend § 614.27 to read as follows:

§ 614.27 Report of serial numbering.

(a) As soon as possible after completing serial numbering of Registration Cards (Form 1), the local board shall make the following report to the State Director of Selective Service:

Registration Cards (Form 1) for the sixth registration serial numbered. Largest serial number assigned to registrant born on or after July 1, 1924, and on or before December 31, 1924, is W_____.

(b) As soon as possible, the State Director of Selective Service shall advise the Director of Selective Service the total number of registrants in his State born on or after July 1, 1924, and on or before December 31, 1924, who were assigned "W" serial numbers in the sixth registration.

7. Amend § 614.41 to read as follows:

§ 614.41 Putting serial numbers on Registration Cards. The serial numbers shall be placed on the Registration Cards (Form 1) in black ink, either in pen and ink or by rubber stamp. Each Registration Card (Form 1) shall have one, and only one, whole serial number, such as "W-267." Each serial number shall be used only once. If either the serial number or the Registration Card (Form 1) bearing the serial number is canceled for any reason, the serial number shall not be used again.

8. Amend paragraph (b) of § 614.44 to read as follows:

§ 614.44 Registration cards with two serial numbers. * *

(b) When a Registration Card (Form 1) of a registrant in Group 5 or Group 6 has been erroneously given two serial numbers and either of the serial numbers is the correct serial number for such registrant, the other serial number shall be canceled by drawing a line through it. If neither of the serial numbers is the correct serial number for such registrant, both serial numbers shall be canceled by drawing lines through them, the card shall then be treated as if it were the card of a late registrant, and a serial number shall be assigned to it in the manner provided in Part 616.

9. Amend paragraph (b) of § 614.45 to read as follows:

§ 614.45 Registration Cards of two registrants with same serial number.

(b) If the Registration Card (Form 1) of two different registrants in Group 5 or Group 6 have the same serial number. the correct serial number of each registrant shall be ascertained. If either of the cards has the correct serial number, such card shall retain such serial number. The number on the other card shall be canceled and the card treated as if it were that of a late registrant and a serial number assigned to it in the manner provided in Part 616. If neither of the cards has the correct serial number, the numbers on each card shall be canceled and each card shall be treated as if it were that of a late registrant and a serial number assigned to it in the manner provided in Part 616.

10. Amend paragraph (b) of § 614.46 to read as follows:

§ 614.46 Serial numbering when local board has two Registration Cards for the same registrant.

(b) When a local board has two cards in the same group for the same registrant:

(1) If the registrant belongs to Group 4, Group 5, or Group 6, the local board shall select one card and cancel the other card by marking it "Canceled—Duplicate."

(2) If the registrant belongs to Group 1, Group 2, or Group 3, the local board shall treat the cards just as if they were the cards of two different registrants so far as serial numbering is concerned. The card having the serial number which comes first in the applicable national master list shall be given its proper order number and the other card shall be marked "Canceled—Duplicate."

11. The foregoing amendments to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY, Director.

NOVEMBER 20, 1942.

[F. R. Doc. 42-12179; Filed, November 20, 1942; 3:11 p. m.]

[Amendment 95, 2d Ed.]

PART 615—ASSIGNMENT OF ORDER NUMBERS
MISCELLANEOUS AMENDMENTS 1

By authority vested in me as Director of Selective Service under 54 Stat. 885; 50 U. S. C., Sup. 301–318, inclusive; E. O. 8545, 5 F. R. 3779, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend § 615.35 to read as follows:

§ 615.35 Procedure. The regulations which governed the assignment of order numbers to registrants properly registered on gray-colored Registration Cards (Form 1), i. e., registrants in Group 5: Provided, That when the assignment of serial numbers has been completed and carefully checked, registrants in Group 5 shall be assigned order numbers in the following manner:

¹ See issues of April 8 and June 20, 1942.

The registrant in Group 5 having the Registration Card (Form 1) bearing serial number "N-1" shall be given the order number immediately following the highest order number assigned by the local board to a registrant in Group 3. Consecutive order numbers shall then be assigned to the remaining registrants in Group 5. Example: Assume that in a local board the highest order number which has been assigned to a registrant in Group 3 is 11,123, then the registrant with serial number "N-1" in Group 5 shall receive Order Number 11,124, the registrant in Group 5 with serial number "N-2" shall receive Order Number 11,125, the registrant in Group 5 with serial number "N-3" shall receive Order Number 11,126, and so on until all of the registrants in Group 5 have received an order number.

2. Amend the regulations by adding a new section to be known as § 615.36 to read as follows:

§ 615.36 Procedure. When the assignment of serial numbers has been completed and carefully checked, registrants in Group 6 shall be assigned order numbers in the following manner:

The registrant in Group 6 having the Registration Card (Form 1) bearing serial number "W-1" shall be given the order number immediately following the highest order number assigned by the local board to a registrant in Group 5. Consecutive order numbers shall then be assigned to the remaining registrants in Group 6. Example: Assume that in a local board the highest order number which has been assigned to a registrant in Group 5 is 12,111, then the registrant with serial number "W-1" in Group 6 shall receive Order Number 12,112, the registrant in Group 6 with serial number 'W-2" shall receive Order Number 12,113, the registrant in Group 6 with serial number "W-3" shall receive Order Number 12,114 and so on until all of the registrants in Group 6 have received an order number.

3. Amend § 615.41 to read as follows:

§ 615.41 Preparation, posting, and distribution of List of Registrants. (a) During or immediately after completing the order numbering of Registration Cards (Form 1) in Group 6 for registrants who became 18 years of age on or before December 31, 1942, the order numbers shall be entered upon the List of Registrants (Form 3B). (See § 614.26.)

(b) As soon as all registrants in Group 6 who became 18 years of age on or before December 31, 1942, have been placed upon the List of Registrants (Form 3B) and their serial and order numbers have been entered in the proper columns, one copy shall be posted in a public place in the office of the local board; one copy shall be maintained at all times in the files of the local board; and two copies shall be forwarded to the State Director of Selective Service, one to be filed in his records and one to be forwarded to the Director of Selective Service, at the Gim-

bel Building, Philadelphia, Pennsylvania. The local board should also furnish as many copies as possible of the List of Registrants (Form 3B) to the press, radio, and other mediums of publication.

(c) After the List of Registrants (Form 3B) has been prepared for the registrants in Group 6, as set forth in paragraph (a) of this section, a List of Registrants (Form 3B) shall be prepared once each month on the last day thereof. All registrants who have registered during the month, regardless of the group to which they belong, shall be listed on such monthly list of registrants and they shall be distributed as provided in § 616.41.

4. Amend § 615.42 to read as follows:

§ 615.42 Placing registrants' names and order numbers in Classification Record. (a) The Classification Record (Form 100) was started at the time order numbers were assigned to registrants in Group 1 following the first national lot-The names and order numbers of registrants in Group 1 commenced on page 1 of the Classification Record (Form 100). When order numbers were assigned to registrants in Group 2 immediately following the second national lottery, the names and order numbers of such registrants were placed in the Classification Record (Form 100) commencing on a new page numbered 2.001. This was done in order to keep the list of registrants in Group 2 separated from the list of registrants in Group 1 in the Classification Record (Form 100). In a similar manner, when the registrants in Group 3 were listed in the Classification Record (Form 100) numerically, according to their order numbers, with Order Number 10,001 at the top, such list was commenced upon a new page numbered 3,001. Registrants in Group were not listed in the Classification Record (Form 100). The names and order numbers of registrants in Group 5 were listed in the Classification Record (Form 100) numerically, according to their order numbers, immediately following the name and order number of the registrant in Group 3 to whom the local board had assigned the highest order number in Group 3.

(b) The names and order numbers of registrants in Group 6 shall be listed in the Classification Record (Form 100) numerically, according to their order numbers, immediately following the name and order number of the registrant in Group 5 to whom the local board has assigned the highest order number in Group 5. In the example given in § 615.36, the registrant in Group 5 to whom the local board assigned the highest order number in Group 5 was 12,111 and the name and order number would appear in the Classification Record (Form 100) as the last registrant of Group 5. The registrant in Group 6 who had serial number "W-1" would be given Order Number 12,112, and his name and order number would be entered in the Classification Record (Form 100) on the line immediately following the name of the registrant in Group 5 having Order Number 12.111.

5. Amend § 615.43 to read as follows:

§ 615.43 Preparation of cover sheets and filing folders. (a) After each registrant in Group 1, Group 2, Group 3, Group 5, or Group 6 is listed in the Classification Record (Form 100), the local board shall open an individual file for him by preparing a Cover Sheet (Form 53). These Cover Sheets (Form 53) shall be maintained in a file in the local board. Every paper pertaining to the registrant except his Registration Card (Form 1) shall be filed in his Cover Sheet (Form 53).

(b) The local board shall also open an individual file for each registrant in Group 4 by preparing a Filing Folder (Form 54). No Cover Sheet (Form 53) shall be made for registrants in Group 4. Filing Folders (Form 54) for registrants in Group 4 shall be maintained in a file separate and apart from the file of Cover Sheets (Form 53) of the registrants in Group 1, Group 2, Group 3, Group 5, and Group 6. Every paper pertaining to the registrant in Group 4 except his Registration Card (Form 1) shall be filed in his Filing Folder (Form 54).

6. Amend § 615.44 to read as follows:

§ 615.44 Registration Cards to be filed alphabetically. (a) After entering the name and order number of a registrant in Group 1, Group 2, Group 3, Group 5, or Group 6 in the Classification Record (Form 100), the local board shall file his Registration Card (Form 1) in an alphabetical file of Registration Cards (Form 1) of such registrants.

(b) The local board shall file the Registration Card (Form 1) of each registrant in Group 4 in an alphabetical file of Registration Cards (Form 1) of such registrants which shall be maintained separate and distinct from the alphabetical file of Registration Cards (Form 1) for registrants in Group 1, Group 2, Group 3, Group 5, and Group 6.

7. The foregoing amendments to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY, Director.

NOVEMBER 20, 1942.

[F. R. Doc. 42-12180; Filed, November 20, 1942; 3:11 p. m.]

[Amendment 96, 2d Ed.]
PART 616—LATE REGISTRATION
MISCELLANEOUS AMENDMENTS 1

By authority vested in me as Director of Selective Service under 54 Stat. 885;

² See issue of June 20, 1942.

50 U.S.C., Sup. 301-318, inclusive; E.O. No. 8545, 5 F.R. 3779, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend the regulations by adding a new section to be known as § 616.7 to read as follows:

§ 616.7 Registration of late registrants in Group 6. Any person in the age group required to be registered for the first time from December 11 to December 31, 1942, inclusive, the days fixed by the President for the sixth registration (registrants in Group 6), who has not heretofore registered, may present himself for and submit to registration before any local board. Each such person shall be registered on a revised gray-colored Registration Card (Form 1) and shall be issued a Registration Certificate (Form 2).

2. Amend the regulations by adding a new section to be known as § 616.25 to read as follows:

§ 616.25 Serial numbering; late registrants in Group 6. When the local board is satisfied that it has jurisdiction over a late registrant in Group 6, a serial number shall be placed on his Registration Card (Form 1) in the following manner: The local board shall determine the serial number which would have been placed upon his Registration Card (Form 1) had it been received by the local board prior to the commencement of serial numbering of Registration Cards (Form 1) of registrants in Group 6. This shall be done by referring to the date of birth on his Registration Card (Form 1) and to the List of Registrants (Form 3B) for registrants in Group 6, ascertaining therefrom the place his card would have been located had his card been received by the local board before it started to assign serial numbers to registrants in Group 6. The local board shall then place on his Registration Card (Form 1) the serial number preceding the one which he would have had and shall add a letter after such number. For example: If he would have received "W-217" as his serial number had his card been received by the local board before the commencement of serial numbering of Registration Cards (Form 1) of registrants in Group 6, he will be given serial number "W-216A."

3. Amend the regulations by adding a new section to be known as § 616.36 to read as follows:

§ 616.36 Assigning order numbers to Group 6 registrants whose Registration Cards are received late. When a late Registration Card (Form 1) in Group 6 has been given a serial number under the provisions of this part, the local board shall refer to the List of Registrants (Form 3B) for registrants in Group 6 to determine the order number the registrant would have been given had his Registration Card (Form 1) been received by the local board prior to the time it commenced to serial number Reg-

istration Cards (Form 1) of registrants in Group 6 and shall assign to the registrant the order number preceding the one he would have been assigned with a letter added to it. For example: If the registrant would have received "W-217" as his serial number had his card been received before the commencement of serial numbering of Registration Cards (Form 1) of registrants in Group 6, he would, under the provisions of section 616.25 be given serial number "W-216A." Therefore, if the registrant with serial number "W-217" (the serial number which the late registrant would have been given had his card been received on time) was given order number "15,254," the late registrant would be given order number "15,253A."

4. Amend § 616.41 to read as follows:

§ 616.41 Entries on and disposition of List of Registrants. (a) When the Registration Card (Form 1) of a registrant is received late, the local board shall add the name, serial number, and (except in the case of a registrant in Group 4) the order number of such registrant to the office file copy and the publicly posted copy of the List of Registrants (Form 3B).

(b) At the end of each month when the names of the registrants who registered during that month are added to the office file copy and the publicly posted copy of the List of Registrants (Form 3B), the same information shall be placed upon two copies of a List of Registrants (Form 3B), both of which shall be forwarded to the State Director of Selective Service. The State Director of Selective Service shall file one such List of Registrants (Form 3B) and shall forward to the Director of Selective Service, Gimbel Bullding, Philadelphia, Pennsylvania, the other copy of such List of Registrants (Form 3B).

5. Amend § 616.42 to read as follows:

§ 616.42 Entries in Classification Record. The local board shall enter the name, serial number, and order number of each registrant in Group 1, Group 2, Group 3, Group 5, or Group 6 whose Registration Card (Form 1) is received late in the Classification Record (Form 100) following the names, serial numbers, and order numbers of the registrants in the age group to which such registrant belongs. To make certain that the case of such registrant is handled in its proper turn, the local board shall insert an "R," followed by the page on which his name appears in the Classification Record (Form 100), in the column of order numbers in the Classification Record (Form 100) at the place where the order number of such registrant would have appeared in the Classification Record (Form 100) had his Registration Card (Form 1) been received on time. For example: If the registrant is in Group 1, his order number is 83A, and his name appears on page 30 of the Classification Record (Form 100), print

"R page 30" between Order Numbers 83 and 84.

6. Amend § 616.43 to read as follows:

§ 616.43 Preparation of cover sheets and filing folders. For each registrant in Group 1, Group 2, Group 3, Group 5, or Group 6 whose Registration Card (Form 1) is received late, the local board shall prepare a Cover Sheet (Form 53) and place it in the appropriate file. For each registrant in Group 4 whose Registration Card (Form 1) is received late, the local board shall prepare a Filing Folder (Form 54) and place it in the appropriate file.

7. Amend § 616.45 to read as follows:

§ 616.45 When Selective Service Questionnaire is mailed immediately. If Selective Service Questionnaires (Form 40) have been mailed to registrants in Group 1, Group 2, Group 3, Group 5, or Group 6 who have larger order numbers than the registrant whose Registration Card (Form 1) is received late, the local board shall immediately mail to the registrant whose Registration Card (Form 1) is received late his Selective Service Questionnaire (Form 40).

8. The foregoing amendments to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY, Director.

NOVEMBER 20, 1942.

[F. R. Doc. 42-12181; Filed, November 20, 1942; 3:11 p. m.]

[Amendment 97, 2d Ed.]

PART 621—QUESTIONNAIRE AND OTHER INFORMATION TO BE USED IN CLASSIFYING REGISTRANTS

MAILING OCCUPATIONAL QUESTIONNAIRE

By authority vested in me as Director of Selective Service under 54 Stat. 885; 50 U.S.C., Sup. 301-318, inclusive; E.O. No. 8545, 5 F.R. 3779, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend paragraph (b) of § 621.11 to read as follows:

§ 621.11 Mailing occupational questionnaire. * * *

(b) When a Selective Service Occupational Questionnaire (Form 311) is mailed to a registrant prior to his being listed in the Classification Record (Form 100) the date of mailing shall be noted on the List or Registrants (Form 3B). After the Classification Record (Form 100) has been prepared, the date of mailing shall be noted thereon in one of the blank columns of the Classification Record C (Form 100A).

2. The foregoing amendment to the Selective Service Regulations shall be

¹ See issue of March 17, 1942.

effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY, Director.

NOVEMBER 20, 1942.

[F. R. Doc. 42-12182; Filed, November 20, 1942; 3:11 p. m.]

[Amendment 98, 2d Ed.]

PART 623-CLASSIFICATION PROCEDURE

CLASSES NOT REQUIRING PHYSICAL EXAMI-NATION, ETC.

By authority vested in me as Director of Selective Service under 54 Stat. 885; 50 U. S. C., Sup. 301–318, inclusive; E. O. No. 8545, 5 F. R. 3779, Selective Service Regulations, Second Edition, are hereby amended in the following respect;

1. Amend § 623.21 to read as follows:

§ 623.21 Consideration of classes not requiring physical examination. (a) Upon undertaking to classify any registrant, it should first be determined whether he should be classified in Class I-C. If the registrant is not classified in Class I-C, it should next be determined whether he should be classified in Class IV-A.

(b) If the registrant is not classified in Class I-C or Class IV-A under paragraph (a) of this section, the local board shall next determine whether he should be classified in Class IV-C on the ground that he is a neutral alien who has filed DSS Form 301 or on the ground that there is no possibility of him being accepted for training and service because of his nationality or ancestry. Otherwise no consideration will be given to Class IV-C at this time.

(c) If the registrant is not classified in Class I-C or Class IV-A under paragraph (a) of this section and is not classified in Class IV-C under paragraph (b) of this section, consideration shall next be given to the following classes in the order listed and the registrant shall be classified in the first class for which grounds are established:

Class IV-D Class IV-B Class III-C Class III-A Class III-A Class II-B Class II-A

(d) If the registrant is not classified in one of the classes set forth in paragraphs (a), (b), or (c) of this section, and, under the provisions of § 622.61, he is completely disqualified morally and there is no possibility that a waiver of such moral disqualification can be secured, he shall be classified in Class IV-F (moral). Otherwise no consideration will be given to Class IV-F at this time.

2. Amend paragraph (a) of § 623.31 to read as follows:

§ 623.31 Notice to registrant to appear for physical examination. (a) If a registrant has not been placed in one of the classes set forth in § 623.21 the local board, as soon as practicable after the determination of that fact, shall mail to him a Notice to Registrant to Appear for Physical Examination (Form 201). This notice shall fix the date, time, and place for the registrant to report for such physical examination, normally 5 days after the date of mailing of such notice.

3. Amend the regulations by adding a new section to be known as § 623.52 to read as follows:

623.52 Procedure when moral standards for military service require waiver.

(a) If the moral standards for military service require that a registrant who has been classified in Class I-A or Class I-A-C, under the provisions of § 623.51, must secure a waiver or an order terminating or suspending civil custody before he can be inducted, the local board shall make a request for such waiver or order.

(b) If the necessary waiver or order is granted, it shall be forwarded to the induction station at the time the registrant is mailed an Order to Report for

Induction (Form 150).

(c) If the necessary waiver or order is not granted, the classification of the registrant shall be reopened and he shall be classified in Class IV-F.

4. Amend the regulations by adding a new section to be known as § 623.53 to read as follows:

§ 623.53 Procedure when moral standards for work of national importance require waiver. (a) If a registrant who is in Class IV-E would not meet the moral standards for military service, the local board shall request the Director of Selective Service to issue a waiver of moral disqualification. If any such registrant is in civil custody, the local board will request an order terminating or suspending civil custody during the period of assignment to work of national importance under civilian direction.

(b) If the necessary waiver or order is granted, it shall be forwarded to the camp director at the time the registrant is mailed an Order to Report for Work of National Importance (Form 50).

(c) If the necessary waiver or order is not granted, the classification of the registrant shall be reopened and he shall be classified in Class IV-F.

5. Amend the regulations by adding a new section to be known as § 623.54 to read as follows:

§ 623.54 Procedure when acceptability must be determined. If the registrant is classified in Class I-A, Class I-A-O, or Class IV-E and is a citizen or subject of a country whose acceptability must be determined before it is forwarded for

induction or assigned to work of national importance under civilian direction, the local board will follow the procedure set forth in §§ 623.71 to 623.77, inclusive.

6. The foregoing amendments to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY, Director.

NOVEMBER 20, 1942.

[F. R. Doc. 42-12183; Filed, November 20, 1942; 3:12 p. m.]

[Amendment 99, 2d Ed.]

PART 628—APPEAL TO THE PRESIDENT MISCELLANEOUS AMENDMENTS 1

By authority vested in me as Director of Selective Service under 54 Stat. 885; 50 U.S.C., Sup. 301-318, inclusive; E.O. No. 8545, 5 F.R. 3779, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend § 628.1 to read as follows:

§ 628.1 Reconsideration of board of appeal determination. (a) When either the Director of Selective Service or the State Director of Selective Service deems it to be in the national interest or necessary to avoid an injustice, he may, at any time, request a board of appeal to reconsider any determination made by it, stating his reasons for requesting such reconsideration. Upon receiving such a request or on its own motion, a board of appeal may reconsider its determination in any case.

(b) Any time before an Order to Report for Induction (Form 150) has been mailed to a registrant, the government appeal agent, if he deems it to be in the national interest or necessary to avoid an injustice, may prepare and place in the registrant's file a recommendation that the State Director of Selective Service request the board of appeal to reconsider its decision. The registrant's file shall then be forwarded to the State Director of Selective Service. As soon as the State Director of Selective Service has acted upon the government appeal agent's request he shall advise the local board and, if he determines not to request the board of appeal to reconsider its decision, he shall return the file to the local board.

2. Amend § 628.2 to read as follows:

§ 628.2 Appeal to the President. (a) The Director of Selective Service, if he deems it to be in the national interest or necessary to avoid an injustice, may appeal to the President at any time from any determination of a board of appeal.

¹ See issues of March 17, June 2 and 11, August 19, and September 15, 1942.

¹ See issues of August 11 and September 1, 1942.

(b) When the board of appeal upon receiving a request from the State Director of Selective Service has reconsidered or declined to reconsider its determination in any case, the State Director of Selective Service, if he deems it to be in the national interest or necessary to avoid an injustice, may request the Director of Selective Service to appeal the determination of the board of appeal to the President.

(c) The registrant or any person who claims to be a dependent of the registrant, at any time within 10 days after the mailing by the local board of the Notice of Classification (Form 57) or the Notice of Continuance of Classification (Form 58), may appeal from the classification of the registrant by the board of appeal provided (1) the appeal is made upon the grounds of dependency only; (2) the registrant was classified by the board of appeal in either Class I-A, Class I-A-O, or Class IV-E; and (3) one or more members of the board of appeal dissented from such classification. The local board may permit any person who is entitled to appeal under this paragraph to do so, even though the 10-day period herein provided for appeal has elapsed if it is satisfied that the failure of such person to appeal within the 10-day period was due to a lack of understanding of the right of appeal or to some cause beyond the control of such person. Unless the local board permits such an appeal, the right of such persons to appeal shall terminate at the end of the 10-day period herein provided.

3. Amend paragraph (c) of § 628.4 to read as follows:

§ 628.4 Procedure on appeal to the President.

(c) When the State Director of Selective Service has complied with the provisions of paragraph (b) of this section, he shall, unless the file is returned to the local board, forward the file to the Director of Selective Service. The State Director of Selective Service, unless he himself requests the appeal, shall not place in the file any statement or expression of opinion concerning the information in the registrant's file.

4. Amend § 628.7 to read as follows:

§ 628.7 Stay of registrant's induction. A registrant shall not be inducted during the time when, under the provisions of this part, his file is being forwarded to or considered by the board of appeal, the State Director of Selective Service. the Director of Selective Service, or the President.

5. The foregoing amendments to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

> LEWIS B. HERSHEY, Director.

NOVEMBER 20, 1942.

[F.R. Doc. 42-12184; Filed, November 20, 1942; 3:12 p. m.]

INO. 1421

DUPLICATE LIST OF REGISTRANTS, ETC.

ORDER DISCONTINUING FORMS

By virtue of the Selective Training and Service Act of 1940 (54 Stat. 885), and the authority vested in me by the rules and regulations prescribed by the President thereunder and more particularly the provisions of § 605.51 of the Selective Service Regulations, I hereby prescribe the following change in DSS

Discontinuance of DSS Form 3, entitled "List of Registrants," and DS: Form 3-A, entitled "Duplicate List of Registrants," effective immediately upon the filing hereof with the Division of the Federal Register.

The foregoing discontinuance shall become a part of the Selective Service Regulations, effective immediately upon the filing hereof with the Division of the Federal Register.

> LEWIS B. HERSHEY. Director.

NOVEMBER 20, 1942.

[F. R. Doc. 42-12185; Filed, November 20, 1942; 3:12 p. m.]

[Amendment 100, 2d Ed.]

PART 615-ASSIGNMENT OF ORDER NUMBERS

REGISTRANTS IN GROUP 6

By authority vested in me as Director of Selective Service under 54 Stat. 885; 50 U.S.C., Sup. 301-318, inclusive; E.O. 8545, 5 F.R. 3779, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend the regulations by adding a new section to be known as § 615.6 to read as follows:

§ 615.6 No national lottery for Group Registrants in Group 6 will be assigned order numbers in the manner provided in § 615.36; therefore, no national lottery was or will be held for registrants in Group 6.

2. The foregoing amendment to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

> LEWIS B. HERSHEY, Director.

NOVEMBER 21, 1942.

[F. R. Doc. 42-12270; Filed, November 23, 1942; 8:55 a. m.]

[Amendment 101, 2d Ed.]

PART 617-REGISTRATION CERTIFICATES

EFFECT OF FAILURE TO HAVE CERTIFICATE IN PERSONAL POSSESSION, ETC.

By authority vested in me as Director of Selective Service under 54 Stat. 885; 50

1 Filed as part of the original document.

U.S.C., Sup. 301-318, inclusive; E.O. 8545, 5 F.R. 3779, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend § 617.1 to read as follows:

§ 617.1 Effect of failure to have registration certificate in personal possession. Every person required to present himself for and submit to registration must have a registration certificate (Form 2) in his personal possession at all times and, upon request, must exhibit it to any law-enforcement officer, any representative of the Secretary of State, any representative of the Secretary of the Treasury, any representative of the Attorney General, any official of National Headquarters for Selective Service, any official of a State Headquarters for Selective Service, any member of a local board or board of appeal, any government appeal agent, and any other official designated by the Director of Selective Service. The failure of any such person to have such registration certificate (Form 2) in his personal possession shall be prima facie evidence of his failure to register. Such person upon becoming a member of the armed forces shall surrender such registration certificate (Form 2), to his commanding officer who will dispose of it in accordance with the current orders of his service.

2. Amend § 617.2 to read as follows:

§ 617.2 Wrongful possession of, or making, altering, forging or counterfeiting, registration certificates prohibited.2 It shall be a violation of these regulations for any person to have in his possession a registration certificate (Form 2) issued to some other person, or to permit a registration certificate (Form 2) issued to him to be in the possession of any other person, except as provided in the instructions upon such form; or to falsely make, alter, forge, or counterfeit, or cause or procure to be falsely made, altered, forged, or counterfeited, or to willingly aid or assist another to falsely make, alter, forge, or counterfeit, any registration certificate (Form 2); or to utter or publish as true, or cause to be uttered or published as true, or have in his possession with the intent to utter or publish as true, any such false, altered, forged. or counterfeited registration certificate (Form 2); or to exhibit : present to any person any such false, altered, forged, or counterfeited registration certificate (Form 2), knowing the same to be false. forged, altered, or counterfeited.

3. The foregoing amendments to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY, Director.

NOVEMBER 23, 1942.

[F. R. Doc. 42-12283; Filed, November 23, 1942; 11:14 a. m.]

¹⁷ F.R. 395, 652. 27 F.R. 395, 2086.

Chapter VIII-Board of Economic Warfare

Subchapter B-Export Control

[Amendment No. LXXII]

PART 802-GENERAL LICENSES

EXPORTATIONS FROM CANAL ZONE TO PANAMA

Part 802, General Licenses, is hereby amended by adding the following new section:

§ 802.18 Exportations from Canal Zone to Republic of Panama for repair or processing and return. A general license is hereby issued permitting exportation from the Panama Canal Zone to the Republic of Panama of all articles and materials: Provided, That such articles and materials are exported for the purpose of being repaired or processed and then returned to the Canal Zone.

(Sec. 6, 54 Stat. 714; Pub. Laws 75 and 638, 77th Cong.; Order No. 3, Delegations of Authority Nos. 25 and 26, 7 F.R. 4951)

Dated: November 5, 1942,

A. N. ZIEGLER, Acting Chief, Export Control Branch. Office of Exports.

[F. R. Doc. 42-12219; Filed, November 21, 1942; 10:22 a. m.]

[Amendment No. LXXIII]

PART 809-SHIPPING PRIORITY RATINGS

APPEALS FOR HIGHER RATINGS

Section 809.8 is hereby amended in its entirety and reads as follows:

§ 809.8 Appeals for higher ratings.
(a) Exporters may appeal for a higher rating than that assigned under an individual license, or for a higher rating than those prescribed under § 809.6. (a) for articles and materials under general license, by submitting in triplicate an "Appeal for Higher Shipping Priority Rating." Such appeal shall supply the following information relative to the articles or materials to be exported:

1. Name and address of the applicant. . Name and address of the consignee, ulti-

mate consignee, and purchaser.

3. Individual or general license number.
4. Portion of the shipment which is at point of exit from the United States ready to be exported.

5. Location of goods at point of exit: in railroad cars, in railroad storage, etc.
6. Portion of the shipment which remains

to be forwarded to point of exit. 7. Where information is available, the

stage of manufacture of such portions: completed, in process, not started.

8. Whether the material or article is manufactured to specifications not normally used

In the United States.
9. Rating originally assigned to the com-

modity to be exported.

10. Description of the commodity as it appears on the export license. (If under general license, give brief description and the Department of Commerce Schedule B number.)

11. Specific reasons why the applicant believes that a higher rating is justified, with particular reference to proposed end-use.

12. If an application for freight space has been filed, the serial number and status of that application.

13. If an application for freight space has not been filed and the shipment is in excess of 2,240 pounds, an application for freight space with an acknowledgment card.

(b) When articles and materials are to be exported under an export program or export project license (S. P.) an exporter who desires a higher rating than that which has been assigned, may apply in writing for a reconsideration, attaching to his request the original document upon which the rating has been affixed.

(c) Only one appeal for a higher shipping priority rating for any particular shipment will be entertained, unless there has been a substantial change of facts with respect to the shipment subsequent to the date that the first appeal was filed.

(Sec. 6, 54 Stat. 714, Pub. Laws 75 and 638, 77th Cong.; Order No. 3, Delegations of Authority Nos. 25 and 26, 7 F.R. 4951)

Dated: November 14, 1942,

A. N. Ziegler, Acting Chief, Export Control Branch, Office of Exports.

[F. R. Doc. 42-12220; Filed, November 21, 1942; 10:22 a. m.]

[Amendment No. LXXIV]

PART 803-UNLIMITED LICENSES

BRITISH "NAVY ARMY AIR FORCE INSTITUTE"

Part 803, Unlimited Licenses, is hereby amended by adding the following new section:

§ 803.3 British "Navy Army Air Force Institute". An unlimited license is hereby issued to the British "Navy Army Air Force Institute" permitting exportation of the articles and materials listed below to any destination when consigned from the British "Navy Army Air Force Institute" to the British "Navy Army Air Force Institute"; Provided, That such articles and materials have been procured through the United States Army Exchange Service:

Stationery: Fountain pens

Nibs Pen holders Pencils

Pins Clips

Ink

Soaps: Household Tollet

Crockery: Cups & saucers Drinking glasses

Plates Condiment pots

Cutlery: Tinware

Baking dishes Pie dishes Saucepans

Kettles Clothing & haberdashery:

> Elastic belts Trouser braces Sock suspenders Handkerchiefs Needles & thread

Clothing & haberdashery—Con. Underwear Shirts

Kitchen cloths Dusters Towels

Boot & shoe polishes Pharmaceutical

products: Aspirin Liver salts

Fruit salts Miscellaneous foods: Pickles

Sardines Gelatine Packet jellies Marmite (Vegex) Salad oil

Spices Tapicoa Salad cream Fruit juices

(canned) Sundries: Gramophones & records Wrist watches Thermos flasks

Tennis balls

Sundries-Con. Razor blades Razors Back and front studs

Nail files Bachelor and bulldog buttons Tobacco pouches

Sundries-Con. Combs Mirrors Padlocks Scales & weights Reading books Alarm clocks Golf balls Table tennis balls

No release certificate need be presented for shipment under this unlimited license.

(Sec. 6, 54 Stat. 714, Pub. Laws 75 and 638, 77th Cong.; Order No. 3, Delegations of Authority Nos. 25 and 26, 7 F.R. 4951)

Dated: November 18, 1942.

A. N. ZIEGLER. Acting Chief, Export Control Branch, Office of Exports.

[F. R. Doc. 42-12221; Filed, November 21, 1942; 10:22 a. m.]

Chapter IX-War Production Board Subchapter B-Director General for Operations

PART 903—DELEGATIONS OF AUTHORITY

[Supplementary Directive 1R]

RATIONING OF COFFEE

§ 903.23 Supplementary Directive 1R. (a) In order to permit the efficient rationing of coffee, the authority delegated to the Office of Price Administration in § 903.1 (Directive 1) is hereby extended to include the exercise of control over the sale, transfer, delivery or other dis-position of coffee by or to any person, and over the use of coffee by any person: Provided, That such authority shall not include the power to:

(1) Limit or restrict the quantity or use of coffee obtainable by the Army, Navy, Marine Corps, and Coast Guard, of the United States, or by any agency of the United States to the extent to which it may acquire coffee for export to and consumption or use in any foreign coun-

(2) Authorize the importation of green coffee by any person or allocate arrivals of green coffee imported by any agency of the United States Government pursuant to directive from the War Production Board

(b) As used in this supplementary directive, the term "coffee" means green coffee and roasted coffee in any formbean or ground, soluble, compounded, or otherwise processed or prepared.

(c) The authority of the Office of Price Administration under this supplementary directive shall include the power to regulate or prohibit the sale, transfer, delivery or other disposition of coffee to, or requisition or use of coffee by any person who has acted in violation of any rationing regulation or order prescribed by the Office of Price Administration.

(d) Notwithstanding the authority delegated hereunder, the War Production Board reserves the power to restrict, by suspension or other similar order, the amount of coffee which may be delivered or accepted by any person heretofore or hereafter found to be in violation of War Production Board Conservation Order M-

135, and amendments and supplements thereto.

(e) The War Production Board reserves the right to determine, at its option, the amount of coffee available for rationing or other distribution hereunder.

(E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 20th day of November 1942.

ERNEST KANZLER, Director General for Operations.

[F. R. Doc. 42-12158; Filed, November 20, 1942; 12:37 p. m.]

PART 1191-COFFEE

[Revocation of Conservation Order M-135 and Amendments and Supplementary Orders thereto

Sec

- 1191.1 Conservation Order M-135.
- 1191.1 Amendment 1. Amendment 2.
- 1191.1
- 1191.1 Amendment 3.
- Amendment 4.
- 1191.1 Amendment 5.
- Supplementary Order M-135-a. Supplementary Order M-135-b. Supplementary Order M-135-c. 1191.2 1191.3
- 1191.4 Amendment 1
- (a) The above order, amendments, and supplementary orders are hereby revoked as of midnight November 21, 1942. Notwithstanding such revocation, any formal suspension ("S") orders heretofore issued and any suspension or other disciplinary orders hereafter issued in connection with violations of the above orders shall remain in effect until they expire by their own terms.

(b) Quota-exempt deliveries made by any roaster or accepted by any wholesale receiver during the period November 1-21. 1942, shall be reported to the War Production Board, as provided for in paragraph (h) of Order M-135, by December 3, 1942. No report on Form PD-533 is required for the period commencing November 16, 1942.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527, E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 20th day of November 1942.

ERNEST KANZLER. Director General for Operations.

[F. R. Doc. 42-12160; Filed, November 20, 1942; 12:38 p. m.

> PART 1010-SUSPENSION ORDERS [Suspension Order S-150]

COLDEN MANUFACTURING CO.

Colden Manufacturing Company, 1333 Broadway, New York, New York, is a New Jersey corporation engaged in the manufacture of spring mattresses. Limitation Order No. L-49 places certain restrictions upon the use of steel wire in the manufacture of mattresses, among other items. The company violated this order by using,

during the months of July and August, 1942, 6000 pounds of steel wire in excess of the quantity which it was permitted to use during these months pursuant to the restrictions contained in the order.

These v' lations of Limitation Order No. L-49 have impeded and hampered the war effort of the United States by diverting steel wire to uses unauthorized by the War Production Board. In view of the foregoing facts: It is hereby ordered,

- § 1010.150 Suspension Order S-150. (a) Deliveries of material to Colden Manufacturing Company, its successors and assigns, shall not be accorded priority over deliveries under any other contract or order and no preference rating shall be assigned or applied to such deliveries by means of preference rating certificates, preference rating orders, general preference orders, or any other order or regulation of the Director of Industry Operations or the Director General for Operations, except as specifically authorized by the Director General for Opera-
- (b) No allocation shall be made to Colden Manufacturing Company, its successors and assigns, of any material the supply or distribution of which is governed by any order of the Director of Industry Operations or the Director General for Operations, except as specifically authorized by the Director General for Operations.
- (c) Colden Manufacturing Company, its successors and assigns, shall not sell, transfer or deliver its inventory or any part of such inventory of steel wire regardless of the form or condition thereof, except in accordance with Priorities Regulation No. 13.
- (d) Nothing contained herein shall be deemed to relieve Colden Manufacturing Company, its successors and assigns, from any restriction, prohibition or provision contained in any other order or regulation of the Director of Industry Operations or the Director General for Operations except in so far as the same may be inconsistent with the provisions hereof.
- (e) This order shall take effect on November 23, 1942, and shall expire on February 23, 1943.
- (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 20th day of November 1942. ERNEST KANZLER, Director General for Operations.

[F. R. Doc. 42-12197; Filed, November 20, 1942; 5:09 p. m.]

> PART 1010-SUSPENSION ORDERS [Suspension Order S-154]

GUARANTEE SILK COMPANY, INC.

Guarantee Silk Company, Inc., 1441 Broadway, New York, New York, is a New Jersey corporation and a former manufacturer of silk products. After re-

strictions were placed upon the use of silk, the company applied for and re-ceived allocations of reserved rayon yarn pursuant to the provisions of Supplementary Order M-37-a, and after the revocation thereof, pursuant to the provisions of Supplementary Order M-37-c. Despite the fact that the company knew that these orders prohibited the unauthoused exchange of reserved rayon yarn, during the period of December, 1941, through May, 1942, it, in conjunction with Judy Textile Corporation, of the same address, caused quantities of reserved acetate rayon yarn in excess of a total of 38,000 pounds, allocated to it for processing in its mill, to be exchanged with the Malina Company of New Jersey, Paterson, New Jersey, for viscose rayon yarn, despite the fact that no authorization had been obtained from the War Production Board.

These violations of Supplementary Order M-37-a and M-37-c have impeded and hampered the war effort of the United States by diverting reserved rayon yarn to uses unauthorized by the War Production Board. In view of the foregoing facts: It is hereby ordered, That:

§ 1010.154 Suspension Order S-154. (a) Guarantee Silk Company, its successors and assigns, shall not order or accept delivery of reserved rayon yarn, as the same is defined in Supplementary Order M-37-c, except as specifically authorized by the Director General for Operations.

(b) Nothing contained in this order shall be deemed to relieve Guarantee Silk Company from any restriction, prohibition, or provision contained in any order or regulation of the Director of Industry Operations or the Director General for Operations, except in so far as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on November 23, 1942, and shall expire on March 23, 1943, at which time the re-strictions contained in this order shall be of no further effect.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 20th day of November 1942. ERNEST KANZLER, Director General for Operations,

[F. R. Doc. 42-12198; Filed, November 20, 1942; 5:09 p. m.]

PART 1012-DOMESTIC VACUUM CLEANERS [Supplementary Limitation Order L-18-c, as Amended Nov. 20, 1942]

Section 1012.4 Supplementary Limitation Order L-18-c is hereby amended to read as follows:

§ 1012.4 Supplementary Limitation Order L-18-c-(a) Definitions. For the purpose of this order:

(1) "Domestic vacuum cleaner" means any vacuum cleaner designed primarily for household use.

"(2) "New domestic vacuum cleaner" means any domestic vacuum cleaner which has never been used by an ultimate consumer, including but not limited to, any domestic vacuum cleaner which has been used merely for demonstration purposes.

(3) "Manufacturer" means any person who has produced any domestic vacuum cleaner since October 1, 1941. "Manufacturer" shall include all subsidiaries, affiliates or other companies or enterprises under common ownership or

control with such person.

(4) "Private brand seller" means any person, other than a manufacturer, engaged in the business of selling new domestic vacuum cleaners under his own trade mark or brand name, and includes all subsidiaries, affiliates, or other companies or enterprises under common ownership or control with such person.

(5) "Restricted private brand seller" means any private brand seller who held more than 500 new domestic vacuum cleaners on October 24, 1942, whether in his own or other persons' warehouses or on consignment to wholesalers or dealers.

(6) "Transfer" means to sell, lease, lend, ship, trade, deliver or otherwise transfer a new domestic vacuum cleaner. "Transfer" does not include any delivery to or by a carrier, or the delivery to its immediate destination of any new domestic vacuum cleaner which was in transit on October 24, 1942.

(b) Restrictions on transfer of new domestic vacuum cleaners. No manufacturer or restricted private brand seller shall transfer any new domestic vacuum

cleaner, except:

(1) To the Army or Navy of the United States (excluding transfers to post exchanges, ships' stores, ships' service stores or commissaries for resale by

them)

(2) To the government of any country, including those in the Western Hemisphere, pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(3) To any person outside the United States pursuant to an export license issued by the Board of Economic Warfare for the new domestic vacuum cleaners

being transferred.

(4) With specific authorization of the Director General for Operations granted on Form PD-556, pursuant to an applica-

tion filed on Form PD-556.

- (c) Reports. (1) On or before November 9, 1942, each manufacturer and each restricted private brand seller shall file with the War Production Board, a report on Form PD-655 of all new domestic vacuum cleaners which were in his stock on October 24, 1942.
- (2) Each manufacturer and each restricted private brand seller shall file with the War Production Board on or before the tenth day of each calendar month, beginning with December 10, 1942, a report on Form PD-655, of all the new domestic vacuum cleaners which he shipped or delivered pursuant to this order during the preceding calendar month.
- (3) Each person affected by this order shall file with the War Production Board

such reports and questionnaires as said Board shall from time to time require.

(d) Violations. Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, r from processing or using, material under priority control and may be deprived of priorities assistance.

(e) Records. Each person affected by this order shall keep and preserve, for not less than two years, accurate and complete records of all sales of new domestic vacuum cleaners. Such records shall be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(f) Applicability of priorities regulations. This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as

amended from time to time.

(g) Communications. All reports required to be filed hereunder, and all other communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers' Durable Goods Division, Washington, D. C., Ref.: L-18-c.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2(a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 20th day of November 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42-12200; Filed, November 20, 1942; 5:09 p. m.]

PART 3134—DAIRY PRODUCTS [Conservation Order M-267]

BUTTER

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of butter for defense, for private account and for export, and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3134.3 Conservation Order M-267—
(a) Definitions. For the purposes of this order:

(1) "Butter" means butter as defined in the Act of March 4, 1923, Chapter 268, 42 Stat. 1500, U. S. C. Tit. 21, sec. 6. (2) "Warehouses in the 35 cities" mean

(2) "Warehouses in the 35 cities" mean the cold storage warehouses which reported their weekly butter stocks from October 30, 1942 through November 20, 1942, to the Agricultural Marketing Administration of the United States Department of Agriculture, which warehouses are located in or near the following cities: New York Metropolitan Area;

Chicago, Illinois; Philadelphia, Pennsylvania; Boston, Massachusetts; Buffalo, New York; Lowville, New York; Pittsburgh Pennsylvania; Detroit, Michigan; Cleveland, Ohio; Milwaukee, Wisconsin; Plymouth, Wisconsin; Marshfield, Wisconsin; Green Bay, Wisconsin; St. Paul, Minnesota; Minneapolis, Minnesota; Kansas City, Missouri; Omaha, Nebraska; St. Louis, Missouri; Denver, Colorado; Seattle, Washington; Portland, Oregon; Los Angeles, California; San Francisco, California; Springfield, Massachusetts; Cincinnati, Ohio; Duluth, Minnesota; Ft. Worth, Texas; Dallas, Texas; Petaluma, California; Santa Rosa, California; Oakland, California; San Diego, California; Providence, Rhode Island; Cuba, New York; Syracuse, New York.

(b) Restrictions on delivery. Every person who on November 6, 1942, at the close of business or at any time thereafter, until the close of business on November 20, 1942 had any butter in his possession or under his control physically located in any warehouse in the 35 cities, shall set aside for the requirements of government agencies 50% of his holdings of such butter at the close of business on November 6, 1942, or 50% of his holdings at the close of business on November 20, 1942, whichever shall be the greater. Without regard to previously existing contracts, and until March 6, 1943, butter so set aside may not be delivered except on specific permission of the Director General for Operations, or to or for the account of the Army and Navy of the United States, the Marine Corps, the Coast Guard, the Coast and Geodetic Survey, the War Shipping Administration, the Agricultural Marketing Administration, and any agency of the United States for supplies to be delivered to or for the account of the government of any foreign country pursuant to the Act of March 11, 1941 (Lend-Lease Act), Each person shall set aside the amount of butter required by this order from that part of holdings which score 89 or higher according to the official grades prescribed in Code of Federal Regulations (1938 Supplement)
Title 7, Part 55, §§ 55.42–55.48, as
amended. So far as compliance with the above grade standards permit, butter in wooden boxes shall first be selected for setting aside pursuant to this order, and butter in wooden tubs shall be selected as a second preference to the extent that butter in wooden boxes is not available. Butter packed in other containers shall be set aside to the extent that butter in boxes and tubs is not available to meet the requirements of this order. Any person who prior to November 20, 1942, has d livered so much of his holdings on November 6, 1942 that he is unable to set aside the percentage required by this order, shall set aside all his remaining holdings. Persons having holdings in more than one warehouse in the 35 cities shall charge any such deficiency in his holdings in one warehouse against his holdings in other warehouses, but, subject to this requirement, percentages shall be charged against holdings in different warehouses as equally as possible.

(c) Inspection. Butter set aside and held pursuant to this order, and all books and records in the possession of any warehouse in the 35 cities pertaining to such butter, are subject to inspection by the Director General for Operations, and any person or government agency thereto duly authorized by him. The agencies to which delivery is authorized in paragraph (b) of this order are hereby designated as agencies authorized to inspect pursuant to this paragraph as agents of the Director General for Operations.

(d) Certificates. No person other than those designated in paragraph (b) shall remove butter from a warehouse in the 35 cities unless he files with the warehouseman a certificate in duplicate in substantially the following language:

This is to certify that the following quantity of butter _____ --- removed by of which I am familiar.

> (Signature) By . (Duly authorized official)

(e) Restrictions on warehouseman. No warehouseman in the 35 cities may release or deliver any butter from his custody and control with knowledge or reason to believe that such butter is being delivered or removed in violation of the terms of this order. Unless such delivery is to a government agency he shall not make such delivery without obtaining a certificate as prescribed by paragraph (d). He shall retain all such certificates in his files for six months.

(f) Reports. Persons to whom this order applies shall execute and file with the War Production Board such reports and questionnaires as said Board may

from time to time request.

(g) Records. Every person to whom this order applies shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(h) Audit and inspection. All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(i) Violations. Any person who wilfully violates any provision of this order. or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or accepting further deliveries of or from processing or using material under priority control and may be deprived of priorities assist-

(j) Appeals. Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the

appeal.

(k) Communications to War Production Board. All reports required to be filed hereunder and all communications concerning this order, shall unless otherwise directed, be addressed to: "War Production Board, Food Division, Washington, D. C. Ref: M-267.

(1) Applicability of priorities regula-tions. This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024; 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 20th day of November 1942.

ERNEST KANZLER, Director General for Operations.

[F. R. Doc. 42-12199; Filed, November 20, 1942; 5:09 p.m.]

PART 1010-SUSPENSION ORDERS

[Suspension Order S-160]

LONG ISLAND MAT CO.

Long Island Mat Company, Lynbrook, Long Island, New York, is a New York corporation engaged in the manufacture of rubber mats. Amendment No. 6 to Supplementary Order M-15-b prohibited the consumption of scrap rubber in the manufacture of rubber mats, among other items, except to fill War Orders, as defined therein. During the months of April through July, 1942, the Company violated Amendment No. 6 to Supplementary Order M-15-b by consuming sufficient scrap rubber to manufacture approximately 3500 rubber mats to fill civilian orders.

These violations of Supplementary Order M-15-b have impeded and hampered the war effort of the United States by diverting rubber to uses unauthorized by the War Production Board. In view of the foregoing facts, It is hereby ordered,

§ 1010.160 Suspension Order S-160. (a) Long Island Mat Company, its successors and assigns, shall accept no deliveries from any source of rubber, scrap rubber, or reclaimed rubber, as defined in Supplementary Order M-15-b, except as specifically authorized by the Director General for Operations.

(b) Long Island Mat Company, its successors and assigns, shall not consume or in any way use any rubber, scrap rubber, or reclaimed rubber, as defined in Supplementary Order M-15-b, except as specifically authorized by the Director

General for Operations.

(c) Long Island Mat Company, its successors and assigns, shall make no deliveries of rubber, scrap rubber, or reclaimed rubber, as defined in Supplementary Order M-15-b, except as specifically authorized by the Director General for Operations.

(d) Deliveries of material to Long Island Mat Company, its successors and assigns, shall not be accorded priority over deliveries under any other contract or order, and no preference rating shall be assigned or applied to such deliveries by means of preference rating certificates, preference rating orders, general preference orders, or any other orders or regulations of the Director of Industry Operations or the Director General for Operations, except as specifically authorized by the Director General for Opera-

(e) No allocation shall be made to Long Island Mat Company, its successors and assigns, of any material the supply or distribution of which is governed by any order of the Director of Industry Operations or the Director General for Operations, except as specifically authorized by the Director General

for Operations.

(f) Nothing contained herein shall be deemed to relieve Long Island Mat Company from any restriction, prohibition or provision contained in any order or regulation of the Director of Industry Operations or the Director General for Operations, except in so far as the same may be inconsistent with the provisions

(g) This order shall take effect on November 23, 1942, and shall expire on May 23, 1943.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 21st day of November 1942. ERNEST KANZLER.

Director General for Operations.

F. R. Doc. 42-12253; Filed, November 21, 1942; 12:22 p. m.]

PART 1157—CONSTRUCTION MACHINERY AND EQUIPMENT

[Limitation Order L-192, as Amended Nov. 17, 1942 1

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of rubber and other materials used in the production of construction machinery and equipment and repair parts for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1157.10 Limitation Order L-192-(a) Revocation of Limitation Orders L-82 and L-82-a. This order, as of November 30, 1942, supersedes Limitation Orders Nos. L-82 and L-82-a. Notwithstanding the revocation of Orders L-82 and L-82-a issued November 7, 1942,

¹ This document is a restatement of Amendment 1 of Limitation Order L-192 which appeared in the FEDERAL REGISTER of November 18, 1942, page 9459, and reflects the order in its completed form as of November 17, 1942.

every person subject to the terms thereof immediately prior to such date shall abide by the terms of such orders until November 30, 1942, as though their text were fully incorporated in this order. All releases on equipment granted by the Director General for Operations pursuant to Limitation Orders Nos. L-82 and L-82-a not shipped by November 30, 1942 shall be deemed cancelled as of that date.

(b) Applicability of priorities regula-This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(c) Definitions. (1) "Person" means any individual, partnership, association, business trust, corporation, government corporation or agency, of any organized group of persons, whether incorporated

(2) "Producer" means any person engaged in the manufacture of equipment

as hereafter defined.

(3 "Equipment" means that construction machinery and equipment listed in Schedules A, B, and C attached hereto, but shall not include any rubber tired chassis or running gear built for or useable for the transportation of commodities or persons.

(4) "New", when applied to equipment, means any equipment which has never been received or accepted by any person

acquiring it for use.

(5) "Repair part" means any part manufactured for use in the repair and

maintenance of equipment.

(6) "Lend-Lease government" means the government of any foreign country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense

of the United States".

- (7) "Essential project" means a construction project undertaken by, or contracted by or for the account of the Army, Navy, Maritime Commission, War Shipping Administration or Defense Plant Corporation, or any other construction project granted a preference rating of A-1-k or higher under any order in the P-19 series.
- (8) "Rubber" means all kinds of natural, reclaimed and synthetic rubber.
- (9) "Government corporation" means any corporation which is beneficially owned by the United States Government or any of its agencies.
- (d) Procedure for placing and receiving orders. (1) Any person desiring to place an order for new equipment listed in Schedule A attached hereto shall apply for authorization to purchase as follows:
- (i) Such person, except the Army, Navy, Maritime Commission, War Ship-

ping Administration or a Lend-Lease government, shall file an application on Form PD-556 in quadruplicate with the War Production Board Regional Office in the region in which such person desires to use such equipment. Such application when approved by the Director General for Operations shall establish all conditions under which such order may be placed with the supplier including the assignment of preference ratings if not previously granted.

(ii) No person, except the Army, Navy, Maritime Commission, War Shipping Administration or Lend-Lease government, may file application on Form PD-556 for any items listed in Schedule A which ap-

pear in Schedule C hereof.

(iii) The Army, Navy, Maritime Commission, War Shipping Administration or Lend-Lease government shall furnish the Construction Machinery Branch, War Production Board, Washington, D. C., with Form PD-556 made out in quadruplicate.

(2) No person shall accept an order for such equipment, except from the Army, Navy, Maritime Commission, War Shipping Administration and Lend-Lease government, unless accompanied by such

authorization

(e) Restrictions on production of equipment. (1) On and after November 30, 1942, no producer shall produce any equipment except in accordance with such production schedules as may be approved by the Director General for Operations as provided in paragraph (f) hereof.

(2) On and after November 30, 1942 no producer shall produce any equipment designed for or requiring rubber tires unless the authorization on Form PD-556 required by paragraph (d) spe-

cifically so provides.

(3) No producer shall manufacture more parts for assembly into new equipment than required by approved produc-

tion schedules.

- (4) On and after November 30, 1942, no producer shall put into process or assemble any materials in the manufacture of any equipment listed in Schedule C, except to fill an order placed by the Army, Navy, Maritime Commission, War Shipping Administration or Lend-Lease Government or for the use by a prime contractor on a construction project for any of the foregoing, and then only if authorized by the Director General for Operations on Form PD-556.
- (f) Production schedules. On or before November 25, 1942 and on or before the 15th day of each succeeding calendar month, every producer shall file in triplicate on Form PD-697 proposed production schedule of new equipment projected

for such period as production may be planned. Except as limited in paragraph (e) (2) hereof, the production schedules of all new equipment for the three calendar months succeeding such filing or for such shorter time as production scheduling may be planned shall be deemed to be approved as of the first of the calendar month following receipt of such Form PD-697 by the War Production Board, unless the Director General for Operations shall otherwise direct. No producer shall change his production schedule as approved or changed by the Director General for Operations without specific authorization of the Director General for Operations.

(g) Inventory reports. On or before November 25, 1942 and on or before the 15th day of each succeeding calendar month every producer shall file in triplicate on Form PD-697 a statement of finished unsold inventory, as of the last day of the preceding calendar month, of new equipment including that in the possession of their dealers and distributors. Dealers and distributors, on the fifth day of each month, shall report their inventories of new equipment as of the last day of the preceding calendar month to the producer from whom such equipment was purchased or, if not purchased, to the producer for whom the distributor or dealer is acting as agent.

(h) Prohibiting transfer and use of equipment. On and after November 30, 1942 no producer shall use for other than experimental or demonstration purposes. or sell, lease, trade, lend, deliver, ship or transfer, any new equipment and no person shall accept the same unless:

(1) Such equipment is then in transit

to such person, or

(2) Such use, sale, lease, trade, loan, delivery, shipment or transfer is specifically approved by the Director General for Operations as follows:

(i) On or before November 25, 1942, and on or before the fifteenth (15) day of each succeeding calendar month, each producer shall file in triplicate on Form PD-697 showing his proposed delivery schedule of all unfilled orders of new equipment, shipments made during the calendar month previous to filing and the current month to date of filing. The delivery of all such new equipment scheduled for the calendar month following the date of filing shall be deemed to be authorized by the Director General for Operations on the first day of such calendar month unless the Director General for Operations shall otherwise direct.

(ii) The delivery of all new equipment as scheduled for delivery on or before November 30, 1942, and previously authorized under Limitation Order L-82 and L-82-a, shall be deemed to be authorized, unless the Director General for Operations shall direct otherwise.

(iii) The Director General for Operations, at any time, may revoke delivery authorization provided for in paragraphs (h) (2) (i) and (h) (2) (ii) as to any or all new equipment, direct or change the schedule for deliveries, allocate any order listed on Form PD-697 to any other producer, or direct the delivery of any new equipment to any other person, at regularly established prices and terms.

(iv) No producer shall change the schedule of deliveries as listed on said form, or as directed or changed by the Director General for Operations, without specific authorization of the Director

General for Operations.

(i) Restriction on resale, rental and use. (1) On and after November 30, 1942, all persons except a Government corporation, the Army, Navy, Maritime Commission, War Shipping Administration or Lend-Lease government to whom delivery of any new equipment listed in Schedule A has been authorized pursuant to paragraph (d) must use such equipment on the project described in the authorization to purchase and will be subject to the provisions of paragraphs (i) (2) and (i) (3) hereof.

(2) All persons except a Government corporation, the Army, Navy, Maritime Commission, War Shipping Administration or Lend-Lease Government, thirty days prior to the sale, lease or use on any other project of such equipment, shall complete, sign and return Form WPB-1159 to the Used Construction Machinery Regional Specialist in the War Production Board Regional Office in the region in which such equipment is located.

(3) The Director General for Operations, at any time on two weeks' written notice, may require such person who owns such equipment to sell, lease or use such equipment as directed.

(4) Nothing in this order shall restrict application of Limitation Order L-196 in regard to the filing of Form

WPB-1333.

(j) Restrictions on sale and delivery of repair parts. (1) All orders for repair parts for equipment in use on essential projects in the United States or Canada shall not be individually rated but shall carry the highest preference rating of the project and shall be subject to the following limitations:

(1) No person shall purchase repair parts during the calendar quarter commencing October 1, 1942 or any calendar quarter thereafter, in excess of 5% of the original purchase price of the equipment for which the repair parts are ordered unless authorized by the Director General for Operations on Form PD-556.

(ii) No producer, dealer or distributor shall sell or deliver repair parts to any person unless such person has furnished the information and certification called for below in a writing signed by such person and in substantially the following form.

Repair Parts for Maintenance and Repair—Rating ______ Contract Number _____ in accordance with Limitation Order L-192 with the terms of which I am familiar.

ate

Purchaser By:

Such certification shall constitute a representation to the Director General for Operations that such repair parts are required for the purpose of repair of actual or impending breakdown or proper maintenance of the equipment and that the applicant does not have such parts available for this purpose.

(2) Orders for spare parts for new equipment listed in Schedule A shall be placed at the same time as the order for new equipment and must be authorized on Form PD-556 by the Director

General for Operations.

(3) Any conditions in regard to purchase or delivery of repair parts not covered herein shall be in accordance with current regulations and orders of the War Production Board.

(k) Substitution and conservation of critical materials. In the manufacture of any item of equipment or repair parts, no producer shall use any alloy steel, stainless steel, aluminum, magnesium, copper, brass, bronze, zinc, nickel, tin, cadmium or fabricated rubber products where the use of other less critical materials will not impair the efficiency of operation of such item.

(1) Records. All persons affected by this order shall keep and preserve for not less than two (2) years accurate and complete records concerning inventories, purchases, production and sale.

(m) Audit and inspection. All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(n) Violations. Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction

may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(o) Appeal. Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a serious problem of unemployment in the community, or that compliance with this order would disrupt or impair a program of conversion from non-defense to defense work, may apply for relief by addressing a letter to the Construction Machinery Branch, War Production Board, Washington, D. C., setting forth the pertinent facts and the reasons why such person considers that he is entitled to relief. The Director General for Operations may thereupon take such action, if any, as he deems appropriate by the amendment of this order or otherwise.

(p) Communications. All communications concerning this order except where specific reference is made herein to the contrary shall be addressed to Construction Machinery Branch, War Production Board, Washington, D. C., Ref: 5-192.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Laws 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 17th day of November 1942.

ERNEST KANZLER,

Director General for Operations.

SCHEDULE A

The items of construction machinery and equipment appearing in Schedule A are subject to all the paragraphs of this order.

Items which appear in both Schedules A

Items which appear in both Schedules A and C may be ordered and produced only for military purposes as stated in paragraph (d) (1) (ii) and (e) (4).

Angledozers and modifications thereof.

Angledozers and modifications thereof. Batchers, construction material. Batching plants, construction type. Bins, construction material, portable. Bins, construction material, portable. Bins, construction material, stationary. Brooms, contractors rotary. Bulldozers and modifications thereof. Cranes, crawler mounted power. Cranes, tractor mounted power. Cranes, rubber tired mounted power. Crushers jaw and roll, portable type. Crushing plants, portable type. Derricks, guy. Derricks, stiff leg. Distributors, bituminous. Ditchers, ladder. Ditchers, wheel.

Draglines, see cranes. Draglines, slack line. Draglines, walking.

Dredges, and dredge equipment. Drilling machines, blast hole drills. Drilling machines, core drills,

Drilling machines, rock portable mounted.

Dryers, construction aggregate.

Earth boring machines

Excavators, see power shovels.
Finegraders and subgraders, self-propelled.
Finishers, concrete.
Finishers, bituminous paving.

Forms, concrete road.

Graders, blade or pull type earth moving. Graders, elevating earth moving. Graders, seif-propelled earth moving.

Grapples.

Hammers, pile. Heaters, and circulators, tank car. Hoists, contractors.

Loaders, portable bucket (other than coal).

Maintainers, road.
Maintainers, shoulder.
Mixers, bituminous cold mix type—10 tons
per hour capacity or more.

Mixers, agitator concrete truck type

Mixers, concrete truck mounted with elevating towers.

Mixers, concrete construction-above 10 cu. ft. size.

Pavers, concrete.

Plants, stabilizing. Plants, asphalt. Plows, snow-V and blade type, truck, trac-

tor or grader mounted.

Plows, snow rotary type.
Power control units for tractors—both cable

and hydraulic

Pumps, portable engine or electric motor driven pumping units mounted on skids, with or without handles, or trailer mounted, larger than 90 M gallons per hour self-priming centrifugal pumps, horizontal or vertical triplex piston road pumps, ordinarily used for contractors' purposes or by contractors for dewatering and supply, as defined and ap-proved in Contractors Pumps Standards by the Associated General Contractors of America, Inc. (A. G. C.), February 21, 1941.

Rippers, road.

Rollers, road pneumatic tired, Rollers, road portable. Rollers, tamping and sheepsfoot.

Rollers, road tandem. Rollers, road three wheeled.

Scrapers, carrying and hauling, both drawn

and self-propelled.

Screening plants, portable type Shovels, crawler mounted power. Shovels, rubber tired mounted power. Shovels, tractor mounted power.

Spreaders, concrete.

Sweepers, street.

Sweepers, street, motor pick-up.

Wagons, contractors crawler. Washing and screening plants, portable

Winches, tractor mounted.

SCHEDULE B

The items of construction machinery and equipment appearing in Schedule B are sub-ject to all the paragraphs of this order except:

1. Paragraph (d), controlling the procedure for placing and receiving orders.

2. Paragraph (i)1, restricting resale, rental and use of equipment.

Blade bits.

Blades, grader.

Breakers, paving. Buckets, clamshell. Buckets, concrete.

Buckets, dragline.

Buckets, orange peel.
Buckets, scraper (bottomless) for dragline operation.

Buggies and carts, concrete hand operated. Buggies and carts, concrete power propelled.

Centerline markers. Chutes, concrete handling. Concrete, surfacing machines

Conveyors, construction material. Crushers, gyratory and cone (portable

type).
Disc. road.

Distributors, water. Ditchers, blade.

Drills, jack hammer.
Drills, rock except portable mounted.
Filling machines, joint and crack.
Finegraders and subgraders, drawn type.
Finishers, floor other than wood.

Form tamping machines. Graders, under truck type. Heaters, asphalt surface.

Heaters, concrete mixer.

Hoppers, portable concrete.

Jacks, mud. Joint levellers

Kettles, bituminous heating.

Loaders, portable snow.

Mixers, aggregate pulverizers. Mixers, bituminous, cold mix type, under 10 ton per hour capacity.

Mixers, concrete construction, 10 cu. ft. and

smaller.

Mixers, plaster and mortar. Paving breakers. Plows, cable laying.

Pumps, concrete. Pumps, portable engine or electric motor driven pumping units, mounted on skids with or without handles, or trailer mounted, 90,000 gallons per hour and smaller selfpriming, centrifugal pumps, plunger pumps, priming, centrifugal bumps, plunger pumps, or diaphragm pumps ordinarily used for contractors purposes or by contractors for dewatering and supply as defined and approved by the Associated General Contractors of America, Inc. (A. G. C.), February 2f, 1941, excluding farm type, industral type and Underwriters approved fire fighting pumps.

Scariflers

Scrapers, drag, fresno and rotary

Screens, rotary, vibrator and gravity types, other than coal and industrial.

Sprayers, bituminous material.

Spreaders, aggregate.

Towers, concrete placing. Towers, material elevating.

Vibrators, concrete. Winches, contractor.

SCHEDULE C

The items appearing in Schedule C may be ordered and produced only for military purposes as provided in paragraphs (d) (1)

(ii) and (e) (4).
Batchers, construction material. Batching plants, construction type. Bins, construction material, portable, Bins, construction material, stationary. Brooms, contractors rotary. Buckets, scraper (bottomless) for dragline

operation.

Buggies and carts, concrete hand operated. Buggies and carts, concrete power propelled

Centerline markers.
Chutes, concrete handling.
Concrete surfacing machines.

Conveyors, construction material—except when a part of a portable crushing plant.

Derricks, guy. Derricks, stiff leg. Disc, road.

Ditchers, blade.

Dredges, and dredge equipment. Drilling machines, core drills. Drilling machines, portable well.

Dryers, construction aggregate, except port-

able type.

Filling machines, joint and crack. Finishers, floor other than wood.

Form tamping machines.

Graders, blade or pull type earth moving.

Graders, elevating earth moving. Graders, self-propelled earth moving. Graders, under truck type.

Grapples.

Heaters, asphalt surface.

Hoists, contractors.
Hoppers, portable concrete.
Jacks, mud.
Joint levellers.

Maintainers, road.
Maintainers, shoulder.
Plants, asphalt except portable travel-mix

Plows, cable laying.

Plows, snow—V and blade type, truck, tractor or grader mounted.

Rollers, road pneumatic tired. Rollers, road tandem.

Rollers, road three wheeled.

Scrapers, drag, fresno and rotary. Screening plants, portable type. Sweepers, street.

Sweepers, street, motor pick-up.

Towers, concrete placing. Towers, material elevating. Washing and screening plants, portable

[F. R. Doc. 42-12255; Filed, November 21, 1942;

12:22 p. m.]

PART 1176-IRON AND STEEL CONSERVATION |Conservation Order M-126 as Amended Nov. 21, 1942]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of iron and steel for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national

§ 1176.1 General Conservation Order M-126-(a) Definitions. For the purpose of this order:

(1) "Governing date", with respect to any item on List A or List S, or part

¹ Formerly paragraph (j).

thereof, means the date set forth oppo-

site such item.
(2) "Army - Navy - Maritime order" means an order for material to be purchased (or physically incorporated into material to be purchased) by or for the account of the Army or Navy of the United States, the United States Maritime Commission, or the War Shipping Administration, where with respect to any item on List A, or part thereof, the use of iron or steel, or with respect to any item on List S. or part thereof, the use of stainless steel, is required by the specifications (including performance specifications) of the Army or Navy of the United States, the United States Maritime Commission, or the War Shipping Administration, applicable to the contract, subcontract or purchase order.

(3) The terms "iron" and "steel" shall not be deemed to include screws, nails, rivets, bolts, or wire, strapping or small hardware for joining or other similar es-

sential purposes.

(4) The term "stainless steel" means corrosion or heat resistant alloy iron or alloy steel containing 10 per cent or more of chromium with or without nickel and/or other alloying elements.

(5) "Process" means cut, draw, machine, stamp, melt, cast, forge, roll, turn,

spin or otherwise shape.

(6) "Put into process" means the first change by a manufacturer in the form of material from that form in which it

is received by him.

(7) The term "assemble" shall not be deemed to include the putting together of an article after delivery to a sales outlet or consumer in knockdown form pursuant to an established custom. The term "assemble" shall also not be deemed to include adding finished parts to an otherwise finished article when the placing of one or more finished parts or the size or type of one or more finished parts is determined by the use to which the ultimate consumer is to put the article.

(b) Restrictions with respect to List A products. Except as provided in para-

graph (d):

(1) Raw material deliveries. From and after the applicable governing date of any item on List A, no person shall deliver or accept delivery of any iron or steel which he knows or has reason to know will be used to make such item, or

any part thereof.

(2) Fabrication-(i) Limitation. During the 30 days next following the applicable governing date of any item on List A. no person shall put into process any iron or steel to make such item, or any part thereof, in an aggregate weight greater than 75 per cent of the average monthly weight of all metals put into process by him during 1941 in the making of such item and parts, and no person shall put into process any iron or steel in the making of any such item or part unless processing thereof will be completed within such 30 day period.

(ii) Prohibition. From and after the date 30 days after the applicable governing date of any item on List A, no person shall process any iron or steel to make

such item, or any part thereof.

(3) Assembly. From and after the date 60 days after the applicable governing date of any item on List A, no person shall assemble such item, or any part thereof, containing any iron or steel.

(4) List A products without governing dates. With respect to any item on List A without a governing date, (i) no person shall deliver or accept delivery of any iron or steel which he knows or has reason to know will be used to make such item, or any part thereof, (ii) no person shall put into process or process any iron or steel to make such item, or any part thereof, and (iii) no person shall assemble such item, or any part thereof, containing any iron or steel.

(5) Finished item deliveries. No person shall deliver or accept delivery of any item on List A, or part thereof, which he knows or has reason to know was fabricated, assembled or delivered in violation of any applicable provision of this order

as amended from time to time.

(c) Restrictions with respect to List S products. Except as provided in paragraph (d):

(1) Raw material deliveries. and after the applicable governing date of any item on List S, no person shall deliver or accept delivery of any stainless steel which he knows or has reason to know will be used to make such item, or

any part thereof.

(2) Fabrication—(i) Limitation. During the 30 days next following the applicable governing date of any item on List S, no person shall put into process any stainless steel to make such item, or any part thereof, in an aggregate weight greater than 50% of the average monthly weight of stainless steel put into process by him during 1941 in the making of such item and parts, and no person shall put into process any stainless steel in the making of any such item or part unless processing thereof will be completed within such 30 day period.

(ii) Prohibition. From and the date 30 days after the applicable governing date of any item on List S, no person shall process any stainless steel to make such item, or any part

(3) Assembly. From and after the date 45 days after the applicable governing date of any item on List S, no person shall assemble such item, or any

part thereof, containing any stainless steel.

(4) Finished item deliveries. No person shall deliver or accept delivery of any item on List S or part thereof, which he knows or has reason to know was fabricated, assembled, or delivered in violation of any applicable provision of this order as amended from time to time.

(d) Exemption for Army-Navy-Maritime orders. (1) The provisions of paragraph (b) with respect to items on List A with governing dates shall not apply to Army-Navy-Maritime orders for such items, or any parts thereof, for a period of 60 days after the applicable governing date. From and after the expiration of the applicable exemption period, no person shall deliver, accept delivery of, put into process, process or assemble any iron or steel for the making of any item on List A, or part thereof, unless such item or part is on List The provisions of paragraph (b) shall not apply to Army-Navy-Maritime orders for any item on List C, or part thereof, except that stainless steel shall not be used to make such item and parts, unless permitted by paragraph

(2) The provisions of paragraph (c) shall not apply to Army-Navy-Maritime orders for any item on List S, or part thereof, for a period of 60 days after its governing date. From and after the expiration of the applicable exemption period, no person shall deliver, accept delivery of, put into process, process or assemble any stainless steel for the making of any item on List S, or part thereof, unless such item or part is on List C.

(3) Except as otherwise specified on List C as to any item, or part thereof, stainless steel may be used to make any item on List C, or part thereof, for Army-Navy-Maritime orders until December 31, 1942.- Except as provided in paragraph (d) (4), on and after December 31, 1942, no person shall use any stainless steel to make any item on List C, or part thereof, unless, and then only to the extent that, the use of stainless steel is expressly permitted for such item.

(4) Where the use of stainless steel or a type of stainless steel in the making of any item on List C, or part there-of, for Army-Navy-Maritime orders is prohibited by the provisions of this order, and the person making any such item or part is unable to secure permitted materials, a further exemption period is hereby granted for the minimum period of time necessary to obtain such permitted materials, but in no event later than April 30, 1943.

(e) Restrictions with respect to other products—(1) Roofing and siding. No person shall manufacture any iron or steel into roofing and siding except:

(i) For delivery to or for the account of the Army or Navy of the United States, the United States Maritime Commission, The War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development; or

(ii) For delivery on a preference rating of AA-5 or higher assigned by a PD-3A preference rating certificate or by a preference rating order in the P-19 series; or

(iii) For defense housing, to the extent specified in the Defense Housing Critical List; or

(iv) For the manufacture, maintenance and repair of railroad freight cars, street cars, or busses; or

 (v) For deliveries on preference ratings assigned by the Board of Economic Warfare or for deliveries on Lend-Lease orders; or

(vi) For delivery to an ultimate purchaser for maintenance and repair purposes regardless of rating. With respect to this paragraph (e) (1) (vi), no person may manufacture from May 5, 1942 to December 31, 1942, more than 20 percent of the roofing and siding made by him from iron or steel during the calendar year 1940; or in the calendar year 1943 or any subsequent calendar year, more than 25 percent of the roofing and siding made by him from iron or steel, during the calendar year 1940.

Any person manufacturing or selling any such roofing or siding may rely on the certificate of his customer that such roofing or siding will only be sold or used as permitted by this paragraph (e) (1).

(2) Other products. No person shall use any iron or steel to make any article not prohibited on List A. or any part thereof, where and to the extent that the use of other material (excluding material on List D) is practicable. Alloy steel shall not be used when the use of carbon steel is practicable, and no more iron or steel shall be used in connection with the manufacture of any such article than is essential. The provisions of this paragraph (e) (2) shall not apply in the case of articles or parts to be purchased by or for the account of the Army or Navy of the United States the United States Maritime Commission or the War Shipping Administration, or to be physically incorporated into products to be so purchased to the extent that the use of iron or steel is required by the specifications

(including performance specifications) of the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration applicable to the contract, subcontract or purchase order.

(f) Restrictions with respect to other scarce materials. No person whose use of iron or steel is restricted by paragraphs (b), (d) or (e) shall use as a substitute therefor any material on List D.

(g) Disposition of frozen and excessive inventories. The disposition of frozen and excessive inventories containing iron or steel shall be subject to the applicable provisions of Priorities Regulation No. 13 (§ 944.34).

(h) Miscellaneous provisions—(1) Applicability of priorities regulations. This order and all transactions affected thereby are subject to all applicable provisions of the Priorities Regulations of the War Production Board, as amended from time to time.

(2) Appeal. Any appeal from the provisions of this order must be made on Form PD-500 and must be filed with the field office of the War Production Board for the district in which is located the plant to which the appeal relates.

(3) Applicability of order. The prohibitions and restrictions contained in this order shall apply whether the items are ordered or manufactured pursuant to a contract made prior to, on, or subsequent to May 5, 1942, or pursuant to a contract supported by a preference rating. Insofar as any other order of the Director General for Operations may have the effect of limiting or curtailing to a greater extent than herein provided the use of any material in the production of any item, the limitations of such order shall be observed.

(4) Intra-company deliveries. The restrictions of this order with respect to deliveries prohibit or restrict deliveries not only to other persons, including affiliates or subsidiaries, but also from one branch, division, or section of a single enterprise to another branch, division or section of the same or any other enterprise under common ownership or control.

(5) Violations. Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control

and may be deprived of priorities assistance.

(6) Installation. The restrictions of this order with respect to putting into process, processing, and assembling shall not apply to the installation of an item or part for the ultimate consumer on his premises when any putting into process, processing or assembling of such item or part is incidental to such installation and is done on such premises.

(7) Repair. The restrictions of this order (other than those contained in paragraph (e) (2)) shall not apply to a person repairing a used article on or off the premises of the owner, if the person making the repair does not use iron or steel weighing in the aggregate more than 25 pounds and if any putting into process, processing or assembling done by such person is for the purpose of making the specific repair. The limitations in this paragraph (h) (7) on repairing a used article shall not apply to any item on List A or List S, or part thereof, to the extent that maintenance and repair of such item is specifically excepted on List A or List S.

Issued this 21st day of November, 1942.

ERNEST KANZLER,

Director General for Operations.

LIST A

Note: Additions and deletions have been made in List A. Governing Item "A" Frames and booms for light- Nov. 5, 1942 ers, 25 tons capacity and under. Access panels—except as re- None quired by Underwriters Code. Accessories, soda fountain 1____ July 15, 1942 Acoustical ceilings_____ None July 15, 1942 Adhesive tape sleeves_____ Advertising novelties _____ None
Air-conditioning systems __ex- None
cept for hospital operating
rooms and industrial plants.

Ampule socrare. Ampule scorers_____ Nov. 5, 1942 Amusement park devices and None roller coasters.1 Area walls_____ None as required by law. Automobile heaters 1—except for July 15, 1942 passenger carriers, as defined in L-158, police cars, ambulances, trucks and fire wagons. Awning frames and supports___ None purse, and pocketbook None frames. Balers, paper for household use_ July 15, 1942

¹ Maintenance and repair excepted.

Item	Governing date	Item	Governing date	Item	Governing date
Ball park equipment including	July 15, 1942	Building ornaments	None	Chafing dishes	Nov. 5, 1942
but not limited to:		Buildings, portable	Nov. 5, 1942	Chamber pots	July 15, 1942
Cages.1		Burial lowering devices	Nov. 5, 1942	Cheese dishes	
Fences.		Butter chips	None	Chicken crates	None
Lighting systems - except		Butter knives	None	Chicken house scrapers	July 15, 1942
lamp bulbs.		Buttons for clothing-except for	July 15, 1942	Christmas tree holders	
Metal bases.		overalls, overall suits and dun-		Christmas tree ornaments	
Protective netting.1		garees.		Cigar and cigarette holders and	
Railings.		Buttons for work clothing-ex-	Nov 5 1942	cases.	
Rollers.		cept 22 line fly button of plain	1107.0, 1012	Cigar clippers	None
Score boards.		design and 27 line button with		Cigarette lighters	
Screens,1					
Seats.		wreath design for remainder of		Cigarette package holders	
Tampers.		garment, and except open top		Cigarette making machines,	NOV. 0, 1942
	Mana	button of not more than two		hand.	
Banks, personal, toy, minia-	None	pieces exclusive of the tack or		Circus and carnival apparatus,	July 15, 1942
ture.	Mana .	fastener.		equipment and devices, in-	
Barber and beauty shop furni-	None	Cabinets—except	None	cluding but not limited to:	
ture.	******	Hospital operating and exam-		Animal cages.	
Barber and beauty shop sup-	July 15, 1942	ining rooms.		Animal stands.	
plies, machines and equip-		As permitted in Limitation		Tent standers.	
ment.		Orders L-13-a and L-62.		Trailers.	
Barn pushers and scrapers	July 15, 1942	Cake cutters	None	Trapeze bars.	
Barware and bar accessories	July 15, 1942	Cake icing equipment		Clamps, hair, including bar-	Nov. 5, 1942
Bases on refrigerating machines		Cake tongs		rettes, decorative clips and	The state of the s
below one H. P.		Calendar and memo pad stands_		fasteners, but not including	
Baskets—except for commercial	None	Calliopes or steam organs		common bob and hair pins	
cooking and manufacturing		Candy display dishes		and clamps for hair curling or	
uses.		Canes		waving.	
Baths, steam, all types	Nov. 5, 1942	Canopies, hoods and supports		Clips for attaching baggage tags.	Nov. 5 1040
Bath tubs			110116		
E-B shot for air rifles.		Cans, containers, closers and		Clock cases—except on recording	Mone
	The second	closures:	*******	and controlling industrial in-	
Beach umbrellas		Cans or containers for		struments.	
Beds—except hospital		Anti-freeze (under 5 gal.		Clothes lines	
Bed spring frames—except for	None	size).		Clothes line pulleys	None
hospital link fabric spring		Artist supplies.		Clothes line reels	
type bed.		Tebacco products.		Clothes racks and dryers	
Beer kegs—except hoop and fit-	None	Bouillon cubes.		Clothes trees	
tings for wooden kegs.		Candy.		Clothing trim and dress orna-	July 15, 1942
Beer mugs	None	Caviar.		ments.	
Beer stands	None	Chalk.		Coal chute and door, house-	None
Beer steins	None	Coffee.		hold.	
Bench legs-except industrial	None	Gloves.		Coal pans	None
Beverage bottle cases, includ-	July 15, 1942	Incense,		Coasters and trivets for glass	
ing but not limited to beer		Lawn seed.		and hot containers.	S. Stimone
and all soft drinks.		Nuts.		Cocktail glasses	None
Bicycle racks	Nov. 5, 1942	Pencils.		Cocktail sets	
Binding, linoleum		Phonograph needles.		Cocktail shakers	None
Binoculars except U. S. Gov-		Playing cards.		Coin changers except for pub-	
ernment Agencies.	410110	Razor blades—except metal		lic transportation.	July 10, 1012
	None	holders which are integral			Tule 15 1040
Bird cages and stands Bird houses and feeders		parts of the mechanism		combs, hair—except curry	July 10, 1942
		for inserting blades into			Name
Biscuit boxes		safety razors.		Compacts	
Blackboards		Sponges.		Concrete and cement hardeners.	
Blade stroppers, mechanical		Staples.		Cooking stoves, commercial	None
Bleachers and grandstands '	None	Tennis balls.		electric.1	A CONTRACTOR OF THE PARTY OF TH
Blocks, hat	July 15, 1942			Copy holders	None
Boards, sounding	Nov. 5, 1942	Toilet water.		Corn poppers and machines	None
Boat hooks		Yarn.	Tul- 15 1040	Counter tops and edgings	None
Book ends		Cosmetics and toiletries		Covers for automotive leaf-type	
Boot jacks		Closers for paper and cello-		springs.	
Bottle holders-except hospital	None	phane bags—except bags for	-	Covers, manhole-except rein-	Nov. 5, 1942
Bowling alleys, bowling pins	July 15, 1942	25 lb. content or more.		forcing and banding.	The second second
and accessories.1		Closures for glass coffee con-	None	Covers, meter frame except in-	Nov. 5, 1942
Boxes and trays for jewelry,	None	tainers—except that such		dustrial.	
cutlery, combs, toilet sets.		closures may be processed		Crochet hooks	July 15 1949
Boxes, meter and covers ex-	Nov. 5, 1942	until December 1, 1942 from		Croquet sets	None
cept industrial.		distressed stocks of black		Crumb trays	
Braces, extensible steel trench	Nov 5 1942	plate lithographed on or			
		before September 3, 1942.		Crutches	
Bread and cake boxes, house-	July 10, 1942	Closures for cosmetics and	Tuly 15 1049	Culverts, including conduits,	None
hold.	* 4 45 1010		outy 10, 1012	corrugated pipe, and corru-	
Bread slicers for home use-	July 15, 1942	toiletries.		gated plates for pipe and	
except knives.	A CONTRACTOR OF THE PARTY OF TH	Car washing machines		arches for culverts—except:	
Bridge splash guards		Carillons		Reinforcing for concrete.	
December 4 4	July 15, 1942	Carpet rods		Nestable culverts for use out-	
Brushes and brush-backs-ex-		Carriers, casket 1		side continental limits of	
Brushes and brush-backs—ex- cept industrial.				U. S.	
cept industrial.	July 15, 194:	Carrousels (Merry-go-rounds)1	July 10, 1942		
cept industrial. Buckles, for clothing—except	July 15, 1941	Carrousels (Merry-go-rounds)1			Nov. 5 1949
cept industrial. Buckles, for clothing—except overalls, overall suits, dun-	July 15, 194:	Carrousels (Merry-go-rounds) 1 Carving set holders	None	Culverts, reinforced concrete-	Nov. 5, 1942
cept industrial. Buckles, for clothing—except overalls, overall suits, dun- garees.		Carrousels (Merry-go-rounds)¹ Carving set holders Cases, vanity	None July 15, 1942	Culverts, reinforced concrete—except:	Nov. 5, 1942
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cept industrial. Buckles, for clothing—except overalls, overall suits, dun- garees. Buckles for————————————————————————————————————	July 15, 1942	Carrousels (Merry-go-rounds)¹ Carving set holders Cases, vanity Cash boxes Cash registers¹ Casket hardware	None July 15, 1942 None None None Nov. 5, 1942	Culverts, reinforced concrete— except: Interior installations. Outside continental limits of U.S.	Nov. 5, 194

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Dishwashing machines '—except None hospitals. None Dishwashing racks, household. July 15, 1942 Dispensers, hand, for		None				
Ploor and counter covering None Speakers, household. July 15, 1942 Itrim. None Halm lotions None Halm lotions None Halm lotions None Halm lotions None Floor polishing machines				None		
Dishwashing racks, household. July 15, 1942 Dispensers, hand, for. None Hand lotions Paper products Scap Straws Display forms. July 15, 1942 Document stands. None Door chimes. None Door chosers — except for hospitals, public tollet doors, exterior doors on public buildings, and where required to meet fire regulations. Door handles—except shipboard use. Door knockers. None Door mats. July 15, 1942 Door stops. None Drain boards and tub covers, hone household. Drawer pulls. None Drain boards and tub covers, hone bousehold. Drawer pulls. None Drain boards and tub covers, hone bousehold. Drawer pulls. None Dust collecting systems and None equipment — except on AA-5 or None Dust covers and enclosures — July 15, 1942 except industrial. Easels, all types. July 15, 1942 except industrial. Easels, all types. None Egg alicers. None Egg alicers. None Edgring, furniture and linoleum. Redphone racks. None Edgring, furniture and linoleum. Redphone racks. None Edgring, furniture and linoleum. Redphone racks. None Electric drinking water coolers— None Edertic drinking water coolers— Non		None		None		1101.0,1012
Dispensers, hand, for		Tuly 15 1049		140116		None
Hand lottons Paper products Scap Straws Display forms				None	Helmets—except on AA-5 or	None
Floral tools and floral hoes. July 15, 1942 Floris taupplies. Nov. 5, 1942 Floris taupplies. Nov. 5, 1942 Floris taupplies Floris taupplies Nov. 5, 1942 Floris taupplies Floris taupplies Floris taupplies Floris taupplies Nov. 5, 1942 Floris taupplies Flori			Floor scrapers—except power-	July 15, 1942		Total 15 1040
Straws Display forms	Paper products			Tule 15 1040		July 15, 1942
Display forms						July 15, 1942
Document stands		Tuly 15, 1942				
Door chimes. None Door closers '-except for hos- None pitals, public tollet doors, exterior doors on public buildings, and where required to meet fire regulations. Door handles—except shipboard use. Door knockers. None Door mats. July 15, 1942 Door stops. None Door mats. July 15, 1942 Door stops. None Drain boards and tub covers, household. Drawer pulls. None Dust collecting systems and equipment '-except on AA-5 or higher. Dust covers and enclosures '- Dust covers and enclosures '						July 15, 1942
pitals, public tollet doors, exterior doors on public buildings, and where required to meet fire regulations. Door handles—except shipboard use. Door knockers				20 10 10		
terior doors on public buildings, and where required to meet fire regulations. Door handles—except shipboard use. Door knockers————————————————————————————————————		None	Flower shears	None		
ings, and where required to meet fire regulations. Door handles—except shipboard use. Door matcles—except shipboard use. Door matcles—in the proof of the proo			Food vending machines, includ-	Nov. 5, 1942		July 15, 1942
meet fire regulations. Door handles—except shipboard use. Door knockers						None
Door handles—except shipboard None use. Door knockers None Door mats July 15, 1942 dential and commercial concrete construction. Door stops None Drain boards and tub covers, None household. Drawer pulls None Dummy police None Fountains, ornamental None Dummy police None Prames, catch basin and grater, Nov. 5, 1942 all types or higher. Dust collecting systems and equipment '—except on AA-5 or higher. Dust covers and enclosures '— July 15, 1942 except industrial. Easels, all types July 15, 1942 except industrial uses in direct fire hazard areas. None Fountains, ornamental None None Fountains, ornamental Nov. 5, 1942 all types. Fountains, ornamental Nov. 5, 1942 all types. Frames, catch basin and grater, Nov. 5, 1942 all types. Frames, clothes drying July 15, 1942 frames for artists' canvas, darning and needlework frames, steel blocking Industrial uses in direct fire hazard areas. Hospital uses in direct fire hazard areas. Hospital, medical, dental and July 15, 1942 and seath of the hazard areas. Hospital, medical, dental and July 15, 1942 and seath shop of use in operating rooms. Hospital operating and examining rooms. None except for use in operating rooms. Pountain pens—except function. None frames, clothes drying July 15, 1942 and basket and isolation cabinet type. Bath cabinets—except hospital use. Bath cabinets—except hospital use. Bath cabinets—except hospital use. Bath cabinets—except hospital use. Back rests. B						
Door knockers		None				
Door mats				NOV. 5, 1942	hazard areas.	Tule 18 1040
Door stops					Hospital, medical, dental and	July 15, 1942
Drain boards and tub covers, None household. Drawer pulls None Dress forms None Dummy police None Dust collecting systems and equipment depring for higher. Dust covers and enclosures depring for artists canvas, darning and needlework for an ing and needlework for higher. Dust covers and enclosures depring for artists canvas, darning for artists canvas, darning for an ing and needlework for an ing and needlework for depring for an ing and needlework for ing an ing and needlework for ing and needlewo	Door stone	July 15, 1942		None		
household. Drawer pulls None Dress forms None Dust collecting systems and equipment decidence of this process and enclosures decidence of the process and the process and enclosures decidence of the process and the process and enclosures decidence of the process and the						
Direct forms None Dummy police None Dust collecting systems and None equipment		-				
Dust collecting systems and equipment '-except on AA-5 or higher. Dust covers and enclosures '- July 15, 1942 except industrial. Easels, all types. Edging, furniture and linoleum. Nov. 5, 1942 Edging, f				1404. 0, 1012		
Dust collecting systems and None equipment '-except on AA-5 or higher. Dust covers and enclosures '- July 15, 1942 except industrial. Easels, all types. Edging, furniture and linoleum. Nov. 5, 1942 Edging, furniture and linoleum. Nov. 5, 1942 Edginor racks. None Electric drinking water coolers None Except for use in war plants. Embalming tables: About and linoleum and linoleum. Nov. 5, 1942 Embalming tables: About and linoleum. Nov. 5, 1942 Embalming tables: About and linoleum. Nov. 5, 1942 Embalming tables: About and linoleum. Nov. 5, 1944 Embalming tables: About and linoleum. Nov. 5, 1944 Embalming tables: About and linoleum. Shope in operating rooms. Cabinet type. End feeding and reading trays. Bed trays. Bed side panel screens. Blanket warming cabinets. Book trucks—except wheel tires. Book trucks—except wheel tires. Bowl stands—except for use in operating rooms. Cabinet type. Bath cabinets—except hospital use. Bed feeding and reading trays. Bed trays. Bed trays. Bed trays. Bed trays. Book trucks—except wheel tires. Bowl stands—except for use in operating rooms. Cabinet for drinking-except hospital use. Each feeding and reading trays. Bed tray	- Dress forms	None		July 15, 1942		
equipment 3—except on AA-5 or higher. Dust covers and enclosures 3— July 15, 1942 except industrial. Easels, all types July 15, 1942 Edging, furniture and linoleum Nov. 5, 1942 Edging, furniture and linoleum None Eigetric drinking water coolers — None except for use in war plants. Embalming tables and Nov. 5, 1942 The second of the first of the fir				July 15, 1942	AND AND ADDRESS OF THE PARTY OF	HOTELS DIE
or higher. Dust covers and enclosures '— July 15, 1942 except industrial. Easels, all types				Nov 5 1049		
except industrial. Easels, all types	or higher.					
Easels, all types July 15, 1942 Edging, furniture and linoleum Nov. 5, 1942 Edging, furniture and linoleum None Edge fires None Electric drinking water coolers None except for use in war plants. Embalming tables July 15, 1942 Embalming tables Nov. 5, 1942 Embalming tables and Nov. 5, 1942 Embalming tables and Nov. 5, 1942 Embalming tables and Nov. 5, 1942 Edging, furniture —except: None Wood furniture. Wood furniture —except: None Bedside panel screens. Blanket warming cabinets. Book trucks—except wheel tires. Bowl stands—except for use in operating rooms. Embalming tables Colinets for diathermy, sinus-colid and galvante appra-		July 15, 1942				
Edging, furniture and linoleum. Nov. 5, 1942 Ediphone racks		July 15 1942		None		
Ediphone racksNone Egg slicersNone Electric drinking water coolers—None except for use in war plants. Embalming tables Sheets and Nov 5 1942 Same and gambling devices July 15, 1942 Same and gambling devices Ju	Edging, furniture and linoleum_	Nov. 5, 1942				
Egg silcers—None Electric drinking water coolers—None except for use in war plants. Embalming tables and Nov 5 1942 The second of the second Nov 5 1942 The second of the second Nov 5 1942 Game and gambling devices—July 15, 1942					Book trucks-except whee	
except for use in war plants. Embalming tables 1————— July 15, 1942 Embalming tables 1————————————————————————————————————	Egg slicers	None		- 15		THE PROPERTY.
Embalming tables 1 July 15, 1942 Game and gambling devices July 15, 1942 Cabinets for diathermy, sinus-	Electric drinking water coolers—	None			Bowl stands—except for use	
The made the shoots and Nov h 1949	Embalming tables 1	July 15, 1942			Cabinets for diathermy, sinus-	
	Enameled tile sheets and	Nov. 5, 1942				
squares.				210110	ratus.	
Enamel store fronts None Garbage grinders, household July 15, 1942 Chairs, other than examining				July 15, 1942		
Erasing knives None Garden trowels July 15 1942 or specialist chairs of deliver	Erasing knives	None				
Garment hangers July 15, 1942 Chart holders except neces-	Erasing shields	Nov. 5, 1942				
Escalators and reducing me Nile 5 1942 Gas toasters, household July 15, 1942 sary hardware.					sary hardware.	
chines! Chiropractic adjustment		oury 10, 1012				
Exhibition and foir apparatus July 15 1942		July 15, 1942		Nov. 5, 1942		
and equipment, including Glassware holders and trim—ex- July 15, 1942 Clothes hampers. Clothes hampers. Commodes—except receptacle.				July 15, 1942		
but not limited to: cept on cooking utensils. Couch tables.						
Lighting equipment. Golf bag supports None Dental cabinets.					Dental cabinets.	
Racks. Grass shears						
Fan stands, all types Nov. 5, 1942 Grave markers Nov. 5, 1942 Dressing stands.		Nov. 5, 1942			and the second s	
Feed troughsNone GrillesNone Dressing carriages—except						
Fences, chain link—except on None Ornamental. frame and necessary hard-						
A-2 or higher. Sewers—except on AA-5 or ware.		Yesley 4.0. 10.10				
Fences, chain link—A-2 or July 15, 1942 higher and reinforcing for Examining tables, non-adjust-		July 15, 1942				
higher. concrete sewers. able Fence posts—except on A-2 or None Grills, outdoor July 15, 1942 Ice trucks—except wheel tires.		None		July 15 1942		
higher. Guards for guy wires Nov. 5, 1942 Instrument cabinets except		_,			Instrument cabinets—except	
Fence posts—A-2 or higher Nov. 5, 1942 Gutters, spouting, conductor None for use in operating rooms.	The state of the s	Nov. 5, 1942	Gutters, spouting, conductor	None	for use in operating rooms.	
pipe, and fittings for single Instrument tables—except for	EN MANAGEMENT					1507
Maintenance and repair excepted. family dwellings.1 use in operating rooms.	Maintenance and repair exce	prea.	ramny dwenings.*		use in operating rooms.	

	Governing		Governing		Governing
Item	date	Item	date	Item	date
Hospital, medical, dental—Con.	July 15, 1942	Jugs, picnic, all types		Mirrors, hand	None
Laundry trucks—except wheel tires.		Kaleidoscopes		Monograms and initials	
Linen hampers - except for		Keys for opening cans		Mop wringers	
frames.	-	Keys for opening cans Knitting needles		Motion picture cameras 1 Motion picture projectors 1	
Linen trucks—except wheel		Ladders, step		Motion picture screen stands 1	
tires.		Lanterns, magic		Mud scrapers	
Needle cabinets—except for use in operating rooms.		Lard or vegetable oil tubs-ex-		Music stands	
Nurses' work tables.		cept 5 lbs. and over, and straps		Napkin rings	None
Orthopedic and fracture		for wood containers.	Name	Necktie racks	
carts—except wheel tires		Laundry chutes Laundry trays—except reinforc-		Newspaper boxes or holders	
and frames. Overbed and swing overbed		ing mesh.	Atome	Novelties and souvenirs of all	
tables.		Lavatories-except hangers	None	bling of artificial leaves, fruit,	
Record and chart desks and		Lawn and landscaping equip-	Nov. 5, 1942	flowers, and of feather orna-	
racks.		ment, all types.	Tule 15 1010	ments shall be permitted when	
Shelf trucks — except wheel		Lawn brooms		any iron or steel wire to be	
tires and frame (not food). Stands and racks for colonic		Lawn rakes		used was drawn on or before June 19, 1942 or was sold to the	
irrigation apparatus.		Lawn rollers 1	July 15, 1942	manufacturer of the artificial	
Sterilizer stands — except		Lawn tampers		leaves, fruit, flowers or feather	
frame and top.		Lawn seeders 1		ornaments as scrap.	
Stools—except for use in oper- ating rooms and except		Lawn sprinklers		Oil well pumping units 1—ex-	Nov. 5, 1942
mechanism for adjustable		Letter chutes		cept: Brackets.	
stools.		Letter openers		Cranks.	
Stretchers, wheel type—except		Letter trays		Equalizers.	
wheel tires and frames.		Lighting poles and standards 1 Lipstick holders		Pitmans.	
Supply and treatment cabi- nets—except for operating		Lobster forks		Reduction gears and case. Saddle bearings.	
rooms.		Lobster tongs		Steel pin connections.	
Tables, examining, adjust-		Lockers—except		Washers.	
able-except frame and		Oil refinery use.		Ornamental hardware and mold-	None
operating mechanism. Thermometer baskets.		As permitted by Limitation		outdoor fireplace parts	None
Utensil racks.		Order L-13-a. Logs, artificial, for gas and elec-	Tuly 15 1049	Outing spades	July 15, 1949
Vasoscillater-o s c i l l a t -		tric fireplace.	July 15, 1842	Packing twine holders	None
ing beds.		Luggage, except locks 1	July 15, 1942	Pads, inking and stamping	July 15, 1942
Wall shelf stands—except for		Lunch boxes		Pail clasps	
use in operating rooms.		Mail boxes—except as required	None	Paint spray outfits—except in- dustrial.	None
Wheel chairs—except essen- tial hardware.		by U. S. postal regulations. Mailing tubes or cases—except	None	Paper rollers, household	None
Hospital, medical, dental and l	Nov. 5, 1942	for transportation of bacteria,	-	Parasols, shafts and handles	
related equipment.1		cultures, serums, plasma, and		Park and recreational benches.	None
Chiropody chairs.		biological specimens.	Mone	Parking meters	
Nose and throat chairs, hy- draulic.		Marine hardware for pleasure boats.	None	Partition stude	Sept. 3, 1942
Optical chairs, hydraulic.		Marquees	None	Pegs, tent	Nov 5 1942
Osteopathic tables.		Match boxes	None	Pen holders	
House numerals1		Material for housing, not other-	None	Pencil holders	Nov. 5, 1942
Houses1	Nov. 5, 1942	wise specified in this order— except to the extent specified		Pencils, mechanical or auto-	None
Tool.		in the Defense Housing Criti-		matic. Permanent wave machines	None
Hog. Poultry—except wire netting.		cal List.		Pet beds	
Humidification devices—except 1	Nov. 5, 1942	Measuring pumps and dispens-	None	Pet cages	
industrial and hospital use.		ers i for gasoline station, ga- rage and household use, in-		Pet dishes	None
Humidors		cluding but not limited to:		Pet equipment (except license	July 15, 1942
Ice box exteriors—except port-	None	Air pumps,		tags) including but not limited to:	
able blood banks.	None	Grease guns.		Carriers.	
Ice cream freezers, household l		Gasoline dispensing pumps.		Chains.	
Ice cube trays l		Kerosene pumps.		Collars.	
Incinerators—except industrial, I		Oil pumps - except barrel		Feeders.	
commercial and to the extent		pumps and lubesters.		Houses, Leashes,	
specified in Defense Housing		Meat molds		Muzzles.	
Critical List. Ink well holders1	None	Memorial tablets		Phonograph motors, nand	None
Inlets, gutter, all types		Memorial tablets		Phonograph record blanks	Mana
Inlets, sewer, all types		Metal cloths, except for indus-		Phonographic accessories	None
Insulation, metal reflecting l	None	trial processing.		Photographic equipment 1— ex-	
type.		Metal dust covers and enclo-	July 15, 1942	cept microfilm.	
Ironing boards and stands	July 15, 1942	sures—except industrial.	Mana	Physical reducing machines	
Jam boxes l		Milk bottle cases—except that a total of 4½ lbs. of iron and	None	Picnic and outing boxes and	July 15, 1942
Jewelry 1	None	steel per case (including join-		accessories. Picture and mirror hardware	None
Jewelry cases1	None	ing and essential hardware)		Pie plates—except commercial	
The second secon		may be used.	Name	or institutional.	
Maintenance and repair excer	Judu.	Millinery wire and gimps	мона	Pipe cases	None

Item G	Foverning	Item	Governing		Governing
Pipe cleaner knives Nor	date		date	Item	date
Pipe posts		Rodeo equipment, including but not limited to:	July 15, 1942	Special industrial machinery Cement making machinery.	Nov. 5, 1942
Pitchers-except for hospital July		Animal trappings.		Ceramic making machinery 1-	
use.		Fences.	1-22-101	except refractory making	
Plant and flower supports Nor		Gates 1.	Testes 15 1040	machinery.	
Plates, light switch—except for Nov	v. 5, 1942	Rolling boardwalk chairs 1 Rolling pins	ALL STATE OF THE PARTY OF THE P	Collapsible tube filling ma- chines.	
cast conduit bodies.	ot 2 1049	Rotary door bells		Cosmetic machinery.	
Playground equipment Sep Play pens, boxes and enclosures, Jul		Rug scrubbing and shampooing		Coupon inserting machines.	
children's.	7 10, 1010	machines.		Cut and monumental stone	
Pleasure boats Nor	ne	Safety zone posts, rails, cables	Nov. 5, 1942	machinery.	
Pleasure boat equipment and Nov	v. 5, 1942	and platforms. Salesmen's display cases and	None	Fertilizer machinery.¹ Lamp manufacturing machin-	
accessories.		sales kits.	210210	ery, including incandescent,	
Plumbing and heating equip- Nov ment.	V. 5, 1942	Salt and pepper holders	None	fluorescent and electric dis-	
Gas conversion burners.		Sample boxes		charge type.	
Gas fired boiler-burner units.		Sand boats Sash weights for windows		Milk can machinery. Paint processing and manu-	
Gas fired furnace - burner		Scaffolding		facturing machinery.	
units.		Scales, coin operated		Soap making machinery.	
Oil fired boiler-burner units. Oil fired furnace-burner units.		Scenery and stage hardware		Steel drum machinery -ex-	
Registers, cold air.		equipment, for dramatic		cept for export purposes.	
Registers and grilles.		theatrical and operatic use, except lamp bulbs, includ-		Wire-bound box making ma-	
Steel heating boilers of 129 sq.		ing but not limited to:		chinery.	
Pneumatic tube delivery sys- Nor	ne	Battens.		Spittoons	None
tems '-except industrial.	ne.	Cables.		Spools for cord, ribbon, tape	
Pocketbook ornaments Jul	ly 15, 1942	Lights,		Spools for wire—except traverse_	
Polishing-wax applicators Nor		Reflectors. Stage drops.		Sporting and athletic goods—ex- cept:	None
Polishing-wax sprayers Nor	ne	Score boards	July 15, 1942	Fully fabricated skates, cleats,	
Portable bath tubs Nor		Screen frames - except indus-		and similar items may be	
Poultry incubator cabinets Nor		trial processing.	warmed in the same	attached to athletic shoes	
Pulp, paper, paper products and Nov	v. 5, 1942	Scrubbing boardsSemaphores, traffic signal—ex-		without restriction. Fishing tackle as permitted	
converter machinery and equipment 1—except:	The second	cept railroad.	1404. 0, 1942	by Limitation Order L-92.	
Automatic paper packaging		Service food trays	None	Spray containers, household	None -
machines.		Sewer pipe, exterior installa-	None	Sprinkling cans, garden	July 15, 1942
Paper bag machinery.		tions except for vents and		Stadiums 1	None
Paper corrugating machinery. Paper cup machinery.		within 5 feet of buildings. Shades, window and roller type—	Nov 5 1042	Stair and threshold treads 1, household, institutional and	July 15, 1942
Paper cutting machinery,		except roller mechanism.	1101.0, 1512	commercial buildings—except	
Paper parafining machinery.		Sheet iron or hoop iron pack-	None	for fire escape and essential	
Paper pasting machinery.		ings for cookies and sweet		industrial use.	
Paper slitting machinery.		goods.	None	Stamped bakery equipment—	None
Paper tube machinery.		Shirt and stocking dryers Shoe cleaning kits		except pie plates for commer- cial or institutional use.	
Slitters and winders.		Shoe ornaments		Stands, all types—except:	Nov. 5, 1942
Waxing machines. Push cartsNor	ne	Show window lighting and dis-		Essential industrial use.	
Push plates and kick plates, Nor		play equipment.		Hospital use where not other-	
door.		Shower recepters — except frames.	None	wise specifically prohibited	
Race track apparatus and equip- Jul	ly 15, 1942	Shower stalls—except frames	None	in this order. Staple removers	Nov 5 1942
ment, including but not		Shutters, window, except where		Starter shingle strips	None.
limited to:		required in industrial use by		Statues	
Mutuel ticket machines. Pari-mutuel boards.		Underwriters.	7-1-15 1040	Steel wool for household use	None
Race finish photographic		Sidewalk scrapersSign hanger frames		made from other than waste. Stencils	Non 5 1040
equipment,		Sign posts		Store display equipment and	
Starting gates.		Signets		show cases.	
Racks, display Nov	v. 5, 1942	Silos except strapping and re-		Stretchers, carpet	
Radiator enclosures Nor	ne	inforcing.		Stretchers, glove, sock and	July 15, 1942
Radio antenna polesi — except Nor		Sink aprons and legs		Sweater.	None
on ratings of AA-5 or higher.	A RESERVED	Sink drainboards, both integral and removable.	THE PARTY NAMED IN	Structural steel home con- struction.	1.0110
Railings, barriers and fences- July	y 15, 1942	Siphon chargers	July 15, 1942	Subway turnstiles 1	None
except for livestock and poul-		Sitz baths		Sugar cube dryer trays	None
try enclosures and essential industrial use.		Skates, roller and ice		Sugar holders	
Railings, barriers, and fences for Nov.	5 1049	Skating rink apparatus and equipment.	July 15, 1942	Sun dialsSun lamps and infra-red	
industrial use.	. 0, 1012	Skewers, all types	Nov. 5, 1942	lamps—except:	outy solves
Railroad rail joint angle bars July	ly 15, 1942	Ski racks	None	For professional and hospital	
over 24" ir length except	S. 11.	Slides, loops and slide-loops for	Nov. 5, 1942	use.	
for replacement on used rails.		Work clothing—except:	THE SHEET	Where lamps and reflectors	
Reading stands		One size not exceeding 1%" for men's work clothing.		are used for drying and baking.	
Reels, cable and ropeNo		One size not exceeding 134"		Swimming pool equipment 1, in-	July 15, 1942
Reflectors, street and highway Nov Refrigerator boxes, walk-in Nov		for boys' work clothing.	by Marin	_ cluding but not limited	BUT STORY
Refrigerator containers and Nor		Sleds—except runners		to:	
trays, household.	San Paring	Slide fasteners		Diving boards.	
RegaliaJul	y 15, 1942	Slide fastenersSmokers' accessories		Diving stands. Ladders.	
Registers, hand tally Nov		Snow shovels and pushers, hand		Slides.	
1 Wointenance		Sod lifters	July 15, 1942	Swivel chairs	
Maintenance and repair excepted		Spading forks, children's	July 15, 1942	Table name-card holders	None

Item	Governing	Years	Governing		Governing
	date	Item	date	Item	date
Table tops for household use		Tickers, stock	July 15, 1942	Ammunition boxes and chutes	
Tags, key; name; price; identifi-		Ticket vending machines—ex- cept for public transportation.		Badges	
cation—except:	210110	Tile, steel-back		Barrel hoops and fittings	
Personnel identification tags		Tongs, food handling and		Baskets, except for heat-treat- ing, pickling and plating.	1407. 0, 1942
or badges where metal tags		household use.	ATTOMA .	Bed pans	Nov 5 1942
or badges are required for		Tool boxes-except industrial	None	Bins, screens and strainers	
protection of government		Tool cases—except industrial		Blueprint machines	
agencies.		Tool handles—except power	None	Bobbin heads	
Personnel identification tags		driven.	** = +010	Boiler casings	
or badges containing not		Traffic lane markers		Bottle coolers	Nov. 5, 1942
more than ¾ ounce of iron and steel where metal tags		Trailer bodies —except: Tank and dump bodies.	July 15, 1942	Branding, marking and labeling	Nov. 5, 1942
or badges are required for		Essential hardware, structural		devices	
protection of industrial		and bracing members for		Brewing, distilling and process-	Nov. 5, 1942
plants.		bodies, essentially of wood		ing equipment for alcoholic	
Metal tags required for identi-		construction.		and non-alcoholic beverages including bottling equipment.	
fication of livestock and		Transplanting trowels	July 15, 1942	Buckets and pails	Nov 5 1942
poultry and products made		Trophies.		Builders' supplies and hard-	
therefrom.			July 15, 1942	ware.	1101.0, 1014
Pin attached or wire attached		Tank and dump bodies.		Cable terminals, fittings, and	Nov. 5, 1942
tickets for price marking		Essential hardware, structural and bracing members for		turnbuckles.	The state of
soft goods. Metal tags for marking and		bodies, essentially of wood		Cafeteria and restaurant equip-	July 15, 1942
identification of metal in its		construction.		ment, ¹	
production and export ship-		Trunks except locks	July 15, 1942	Chains and cables-except for	Nov. 5, 1942
ment.		Turf edgers		heat-treating, pickling and	
Tanks (strapping excluded)	None	Typewriter mechanism for ped-		plating.	red or a North
Dipping—for animals.		estal and drop-head desks.	ISSUE AND BUILD	Cheese vats	Nov. 5, 1942
Watering—for animals.		Umbrellas, garden	July 15, 1942	Clocks, clock-dials and cases	
Feeding—for animals.		Umbrella shafts and handles		Control levers	
Storage, beer.		Urinals		Control levers	
Storage, water —except: In tropical climates.		Vending machines for sanitary		Convectors, local and unit heat- ers—except heat controls.	Nov. 5, 1942
Heights in excess of 100		napkins.	1101.0, 1012	Conveyors and conveyor	Nov 5 1942
feet.	AND STREET	Ventilators, shutter type	Nov. 5, 1942	chutes-except where subject	
Range boilers and hot water		Vibrators, electric		to high temperature and cor-	
storage.		Voting machines	None	rosive action.	
Pneumatic pressure tanks		Wagon bodies and frames 1-ex-	None	Cups of all kinds-except in-	Nov. 5, 1942
82 gallon size and 31 gal-		cept for construction.	**	dustrial.	
lon or smaller size.		Wardrobe trunks		Cutlery	
Tank towers under 50 feet in	Nov. 5, 1942	Waste paper receptacles Watch straps		Dishes, saucers and plates	
height.	-	Water color paint boxes		Dyeing equipment	
Teapots	None	Water softeners, household		Elevators, including doors and	Nov. 5, 1942
Telephone bell boxes—except	None	Water stills, household		Fans except industrial	Man 5 1040
bases and where required for safety.		Water troughs 1		Fans—except industrial	
Telephone booths	None	Weather stripping	None	Farm machinery and replace- ment parts.	NOV. 5, 1942
Telescopes except U. S. Gov-		Weather vanes		Fire-fighting apparatus—except	Nov. 5 1942
ernment Agencies.		Weed cutters and pullers, in-	July 15, 1942	pump shafts and where work-	2101101,4044
Tent frames and supports	Nov. 5, 1942	cluding dandelion, thistle and		ing parts are in contact with	
Termite shields	Nov. 5, 1942	dock.	None	corrosive chemicals.	
Terrazzo spacers and decorative	None	Wheelbarrows—except wheels, and except for use in found-	NOHE	Fishing tackle and equipment	Nov. 5, 1942
strips—except hospital oper-		ries, smelters, and coke-pro-		Floor plates and floor coverings_	Nov. 5, 1942
ating rooms.	× = 1010	ducing plants to handle hot		Fountains	Nov. 5, 1942
Textile machinery	Nov. 5, 1942	materials.		Furniture hardware	Nov. 5, 1942
Bobbinet machines.		Whiskey service sets		Galley and mess equipment 1	
Crocheting machines includ- ing scalloping machines and		Window display advertising		Galley, kitchen, cafeteria and restaurant panelling.	Nov. 5, 1942
shell-stitching machines.		Window shade rollers—except	Nov. 5, 1942	Hangers, all types	Nov 5 1040
Embroidery machines.		roller mechanism.	None	Hose clamps	Nov 5 1040
Hosiery clocking machines.		Window stoolsexcept in-		Hot water heaters, tanks and	Nov. 5, 1942
Lace machines.		dustrial and hospitals.		coils.	
Looms:		Wine coolers	None	Hydrants	Nov. 5, 1942
Axminster.		Wine service sets		Ice boxes	Nov. 5, 1942
Box		Wire parcel handles and hold-		Ice cream cabinets	July 15, 1942
Dobby Hooked.		ers.	HE HERD	Identification tags and badges	Nov. 5, 1942
Jacquard.		Wire racks and baskets-ex-	None	Instrument dials and cases	Nov. 5, 1942
Wilton.		cept:		Kitchenware	Nov. 5, 1942
All other machines for the		Animal cages for biological		Ladders and hoists, including fittings.	140V. b, 1942
manufacture of drapery and		work. Industrial.		Lanterns and lamps - except	Nov. 5 1949
upholstery fabrics whether		Scientific laboratory equip-		valves, controls and mantle-	1012
flat or pile weave.		ment.		holders.	
Linoleum or felt-base wall or		Work benches-except:	None	Lavatory equipment	Nov. 5, 1942
floor covering machines.	None	Shipboard.	THE RESERVE	Light fixtures	Nov. 5, 1942
Thermometer bases, household_ Thermometer cases and mount-		Industrial, where required for	7	Livestock and poultry equip-	Nov. 5, 1942
ings, except industrial.	110110, 1014	safety.		ment.	
Thermos jugs and bottles over	None	The second		Match and nettern plates Mat	Nov. 5, 1942
1 qt.		LIST S—STAINLESS STE	EL L	Match and pattern plates, Mat- rices and flasks.	NOV. 5, 1942
Thimbles, sewing	Nov. 5, 1942	Aircraft fire walls	Nov. 5, 1942	Meat cutters	Nov 5 1949
		Aircraft seats	Nov. 5, 1942	Mechanical drawing and draft-	Nov. 5, 1942
¹ Maintenance and repair excep	ted.	Aircraft toilets	Nov. 5, 1942	ing equipment.	

Item	Governing date
A STATE OF THE PARTY OF THE PAR	
Milk storage tanks, milk receiv- ing tanks and milk weigh	MOV. 0, 1942
tanks — except that where	
permitted materials cannot be	
secured, the provisions of	
paragraph (d) (4) shall be	
deemed to apply.	
Mortician's supplies and equip-	Nov. 5, 1942
ment.	
Name plates	Nov. 5, 1942
Oil burners—except functional	Nov. 5, 1942
parts.	The supplies
Oil space heaters Pipe tube, tubing and fit	Nov. 5, 1942
Pipe tube, tubing and fit-	Nov. 5, 1942
tings—except industrial.	N 1010
Pole-line hardware	Nov. 5, 1942
Powder boxes	NOV. 0, 1942
Pumps, fresh water-except in-	NOV. 0, 1842
dustrial.	Nov. 5, 1942
Radio antenna Refrigerators and Refrigeration	July 15, 1942
equipment—except essential	oury 10, 1014
machinery parts.	
Rubber moulds	Nov. 5, 1942
Shelves	
Staples	
Stokers - except functional	
parts.	
Storage racks, cabinets or lock-	Nov. 5, 1942
ers.	
Stoves and ranges, disc stoves	Nov. 5, 1942
and hot plates—except elec- trical controls and units.	
Toilet floats, cistern and low	Nov. 5, 1942
water-floats.	
Tubs, washing	
Valve handles	Nov. 5, 1942
Ventilators	Nov. 5, 1942
Window screens and frames	Nov. 5, 1942
LIST C	

Access panels—for use on board ship, on military vehicles and where climatic or safety conditions make necessary.

Accessories—soda fountain—for use on board

Acoustical ceilings—for use on board ship.

Air conditioning systems—for hospital operating rooms and industrial plants (excluding offices), for use on board ship, for use outside continental limits of the U.S., for use in fortifications, for handling and storage of explosives, for storage and handling of instruments critical to temperature or humidity, for use in gas proofing installations, and for use in mobile surgical vehicles and laboratory vehicles.

Attic fans—where climatic conditions make

necessary

Automobile accessories.

Automobile heaters—where specified for military vehicles.

Awning frames and supports—for use on board ship, military repair units, hospital installations, and military construction units.

Barber shop supplies.
Baskets—for cooking and manufacturing uses and for ordnance operations.

Bath tubs-for use on board ship and in hospitals.

B-B shot-for training and shot blast clean-

ing purposes.

Beds—for use on board ship; beds containing not more than 5 pounds of iron or steel, excluding springs.

Bed spring frames-for use on board ship and for maintenance and repair.

Binoculars.

Bird cages—for carrier pigeons. Bird feeders—for carrier pigeons. Biscuit boxes—for use on board ship or where climatic conditions make necessary.

Bleachers and grandstands-but only straps and necessary fasteners for demountable wooden bleachers and grandstands.

Bottle holders-for use on board ship and in hospitals.

Brushes, wire bristles only.

Buttons.

Cabinets-for mobile units such as maintenance company equipment (truck mounted), spare parts trucks and mobile reproduction units, and for electrical installations, hospital operating and examining rooms, and as permitted by L-13-a and L-62.

Canopies, hoods and supports—for use on board ship, military repair units, hospital installations, and military construction

Cans or containers for anti-freeze, candy, coffee, nuts-where climatic conditions make necessary.

Casket handles.

Ceilings-for use on board ship, but only

where necessary.
Cigarette lighters—for use outside continental limits of U. S., for sale by Post Ex-changes at ports of embarkation, and for sale by ships Service Stores on board ship. Clock cases.

Clothing trim.

Cooking stoves-commercial electric.

Counter tops and edgings-for use on board

Culverts—for airports, for use outside con-tinental limits of the U.S., and where certified to the manufacturer or supplier as necessary by the Army or Navy Engineer in charge.

Cups of all kinds, drinking.

Dishwashing machines.

Door closers—for fire prevention, for use on board ship, and where climatic or safety conditions make necessary.

Door handles—for fire prevention, for use on

board ship, for military vehicles, and where climatic or safety conditions make neces-

sary.

Dust collecting systems and equipment.

Dust covers and enclosures-when specified for military vehicles.

Electric drinking water coolers—for use on board ship, in hospitals and in tropical climates.

Erasing knives.

Fences, chain link, weighing not more than 2 pounds per lineal foot and not more than .33 pounds per square foot.

Flag staffs and flag masts—for use on board ship, and on military vehicles.

Flashlight tubes.

Floor and ceiling plates for piping, for use on board ship, for military vehicles, and where climatic or safety conditions make necessary

Floor polishing machines—maintenance and repair only.

Furniture-for use on board ship.

Galley and mess equipment of stainless steel,

Clad stainless steel for steam tables and warming pans. Single clad stainless steel on inside of steam

jacketed kettles

Clad stainless steel bottoms and solid stain-

less steel sides for pressure cockers.

Non-nickel bearing stainless steel claddoors and other parts coming in direct contact with food in cold storage spaces on board ship.

Non-nickel bearing stainless steel for coffee urns

Stainless steel single clad sinks and dresser tops for use on board ship.

Non-nickel hearing stainless steel liners for portable water coolers.

Galley and mess equipment of stainless steel, but only-Continued.

Non-nickel bearing stainless steel for tanks and hoods of dishwashing machines. Metal sponges from non-nickel bearing

stainless steel wire.

Compartment mess trays, but only from existing finished stocks of stainless steel, or new stainless steel only if the processing is past the melting stage on September 3,

Games.

Garage hoists and car lifts.

Grilles—sewer.
Hand seals for documents.
Harness and saddlery fittings.
Hat frames, wire and gimps.

Hat-making machinery, but only-

Blocking machines with complete sets of blocks

Sets or dies for cutting parts.

Hose reels.

Hospital equipment—
Arm immersion stands.

Bed trays.

Bedside panel screen frames-for use in operating rooms, and outside continental limits of U.S.

Bowl stands-for use in operating rooms and on board ship.

Cabinets—X-ray film filing.
Cabinets for diathermy, sinusoidal and galvanic apparatus

Chart holders.

Commodes—for hospital use outside con-tinental limits of U. S. Dish trucks—frames and wheel tires only.

Dressing stand frames.

Examining tables, non-adjustable—for use on board ship and in Field Hospitals.

Instrument cabinets. Instrument tables.

Nurses' work tables.

Overbed and swing overbed tables-func-

tional parts only. Stands and racks for colonic irrigation apparatus.

Sterilizer stands.

Supply and treatment cabinets.

Utensil racks.

Ice box exteriors-for use on board ship, mobile type refrigerators, and for use where climatic conditions make necessary.

Ice cube trays:

Incinerators.

Keys for opening cans.

Laundry trays—for use on board ship.

Lavatories—for use on board ship and outside continental limits of U. S.

Lockers-for office equipment as limited by Limitation Order L-13-a, for use on board ship, military vehicles, outside continental limits of U. S. and in ordnance plants.

Mail boxes-for use on board ship. Measuring pumps and dispensers for gasoline

stations and garages, including but not limited to-

Gasoline dispensing pumps.

Grease guns.

Grease pumps.

Oil pumps. Kerosene pumps.

Air pumps.

Mirrors, hand-for signal use. Pads, inking and stamping. Paint spray outfits.

Partitions-for use in hospitals and on board

Pencils, mechanical or automatic, functional parts only-except for resale.

Phonograph motors, hand wound. Phonograph record blanks.

Photographic accessories.

Pneumatic tube delivery systems.

Portable bathtubs.

Push carts-for ordnance and combat organizations

Radio antennae poles.

Railings-for use on board ship.

Scaffolding-for use in shipyards, airfields and other places where use of wood scaffolding is impracticable.

Screen frames.

Sewer pipe, exterior installations-for pressure lines only.

Shirt and stocking dryers of cast iron only. Shower receptors-for use on board ship. Shower stalls-for use on board ship.

Sink aprons and legs-for use on board ship. Sink drainboards, both integral and removable—for use on board ship and where required for sterilization.

Siphon chargers for life jacket inflation.

Slide fasteners.

Snow shovels and pushers, hand. Sporting and athletic goods. Stamped bakery equipment. Swivel chairs-for use on board ship.

For marking ammunition.

Identification (name).
Tanks, storage, water, but only for use on board ship, mobile units, range boilers and hot water storage, use outside continental limits of U. S., heights in excess of 100 feet, pneumatic pressure tanks.

Telephone bell boxes—for use on board ship

where climatic or safety conditions

make necessary. Telescopes.

Thermos jugs and bottles.
Tile, steel back—for ladder treads, step plates and use on board ship.

Tool boxes.

Tool cases-for mobile equipment.

Tool handles, where specified.

Truck and trailer units and bodies, where specifically designed for military purposes Urinals—for use on board ship, and outside continental limits of U. S.

Waste paper receptacles-for hospital use

Water troughs, frame and support only.

Wheelbarrows.

Wire racks and baskets.

Work benches where wooden benches will not stand up under ordinary use.

LIST D-OTHER SCARCE MATERIALS

Metals-all, except lead.

F. R. Doc. 42-12254; Filed, November 21, 1942; 12:23 p. m.]

PART 1288-POWER, STEAM AND WATER AUXILIARY EQUIPMENT

(Schedule III to Limitation Order L-154)

FEED WATER HEATERS

§ 1288.4 Schedule III to Limitation Order L-154-(a) Definitions. For the purposes of this schedule:

(1) "Producer" means any person who produces, manufactures, processes fabricates or assembles feed water heaters.
(2) "Feed water heater" means any

tubular heater or heat exchanger, used in land installations to raise the temperature of boiler feed water.

(3) "Copper base alloy" means any alloy which contains 40 per cent or more

copper by weight.

(b) Restrictions on materials. (1) No producer shall install or incorporate tubing or tube sheets of any type or class in any feed water heater if such tubing or tube sheets contain copper, copper base alloys, or alloys containing nickel, chrome, or tin, unless such installation or incorporation is for the repair of an actual breakdown which involves the replacement of not more than 25 per cent of the tubing in a feed water heater equipped with copper base alloy tubes. No repair shall be subdivided into parts to come within these limits.

(2) No producer shall install or incorporate seamless steel tubing in any feed

water heater.

(c) Required specifications. No producer shall deliver and no purchaser shall accept delivery of any feed water heater. manufactured in accordance with the restrictions of paragraph (b) of this schedule, which contains, or which is designed to contain, a larger heat transfer surface area than would be necessary in normal operation, under actual conditions at its proposed installation, if copper base alloy tubing were used.

(d) Nothing herein contained shall prevent the delivery or use of tubing or tube sheets which were in process or fully fabricated five days after the issuance of

this schedule.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 21st day of November 1942. ERNEST KANZLER, Director General for Operations.

[F. R. Doc. 42-12251; Filed, November 21, 1942; 12:21 p. m.]

PART 3029-PORTABLE ELECTRIC FANS [Interpretation 1 to General Limitation Order L-176]

The following interpretation is hereby issued by the Director General for Operations with respect to § 3029.1, General Limitation Order L-176, issued September 5, 1942:

General Limitation Order L-176 prohibits the transfer by a manufacturer of all portable electric fans except pursuant to specific authorization of the Director General for Operations. A manufacturer is defined as "any person who manufactures or assembles any portable fan." A person who makes a business of bringing all the parts of a fan together in one place in such form that it is a simple or minor operation to assemble such parts into a fan is to be considered a manufacturer even though he does not personally fasten all of the parts together. Consequently any such person who sells or delivers substantially all the parts of a portable fan as a kit or in other knock-down form, with the expectation or knowledge that the transferee or some other person will put the parts together and produce a completed fan, violates the provi-sions of Order L-176 unless he obtains specific authorization from the Director General for Operations.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 21st day of November 1942. ERNEST KANZLER, Director General for Operations.

(F. R. Doc. 42-12269; Filed, November 21, 1942; 12:44 p. m.]

PART 3032-FILM

[Limitation Order L-178 as Amended Nov. 21, 19421

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of film for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3032.1 General Limitation L-178-(a) Definitions. For the purposes of this order:

(1) "35 mm. film" means unexposed film 35 mm. wide with a nitrate or safety base, whether negative or positive, other than film packaged for use in 35 mm, still

(2) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency or any organized group of persons whether incorporated or not.

(3) "Transfer" means to sell, lease, trade, lend, deliver, ship or transfer 35 mm. film from one person to any other person. For the purposes of this order, the following shall not be regarded as transfers:

(i) To sell, lease, trade, lend, deliver, ship or transfer 35 mm. film from one branch, division or section of a single enterprise to another branch, division or section of the same or any other enterprise under common ownership or control:

(ii) A transfer of title merely for security purposes to a person financing a conditional sale or a similar transaction made simultaneously with the transfer of 35 mm, film.

(b) Restrictions on transfers of film on and after 11:59 P. M., Eastern War Time, August 20, 1942. On and after 11:59 P. M., Eastern War Time, August 20, 1942, until 11:59 P. M., Eastern War Time, December 18, 1942, no person shall transfer any 35 mm. film, except:

(1) Any 35 mm. film actually in transit at the time this order takes effect may be delivered to its immediate destination,

(2) Pursuant to specific authorization of the Director General for Operations,

(c) Records and reports. (1) Every person, other than the Army or Navy of the United States, who has any 35 mm. film on August 20, 1942, shall keep and preserve, for not less than two years, accurate and complete records of all such 35 mm. film and of all sales and shipments made by him pursuant to this order. Such records shall be submitted to audit and inspection by duly author-

No. 230-7

ized representatives of the War Production Board.

(2) On or before the 15th day following August 20, 1942, every person, other than the Army or Navy of the United States, who has any 35 mm. film on August 20, 1942 shall file with the War Production Board a statement of the amount in linear feet and type of 35 mm. film in stock on August 20, 1942.

(d) Violations. Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

(e) Applications for specific authorization by the Director General for Operations. Any person desiring film may apply in writing to the Director General for Operations, War Production Board, Washington, D. C., Ref.: L-178, fully setting forth the amount in linear feet by types of 35 mm. film desired, the reasons why such person deems it appropriate that he obtain such film and the use to which such film is to be put. The Director General for Operations may thereupon take such action as he deems appropriate.

(f) Communications. All reports required to be filed hereunder and all communications concerning this order shall be addressed to the War Production Board, Washington, D. C., Ref.: L-178.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued November 21, 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42-12252; Filed, November 21, 1942; 12:21 p. m.]

PART 3045—COTTON TEXTILES FOR WORK APPAREL

[Schedule III to General Preference Order M-207]

HOSPITAL CLOTHING

§ 3045.4 Schedule III to General Preference Order M-207—(a) Definitions. For the purposes of this schedule (1) "Hospital clothing" shall mean any

(1) "Hospital clothing" shall mean any patients' gown, or uniforms for nurses or hospital personnel, of the type customarily sold as such, but shall not include any "male work clothing" as defined in Schedule I to General Preference Order M-207.

M-207.
(2) "Hospital clothing textiles" shall mean

(i) Cotton sewing thread and the following fabrics made wholly of cotton either in the gray, original mill or regular finish, or converted state, including seconds but excluding all cuts of less than 20 yards as produced in the ordinary course of fabric manufacture.

Carded sheetings: 36'' 48/48, 2.85 yards. 37'' 48/48, 4.00 yards. 40'' 48/44, 3.75 yards. 40'' 48/44, 3.25 yards.

40" 48/48, 2.85 yards. 40" 56/60, 3.60 yards. 40" 64/68, 3.15 yards.

Carded print cloth: 39" 64/60, 4.25 yards, 39" 68/72, 4.75 yards, 39" 80/80, 4.00 yards, 40" 80/92, 3.50 yards,

40" 80/92, 3.50 yards. Carded drills: 30" 72/48, 2.85 yards.

Carded jeans:

38" to 39", 96/64, 2.85 yards. Carded or combed poplins: 37" to 38", 2.50 to 4.00 yards. Carded or combed broadcloths:

37" to 38", 3.25 to 4.20 yards.

Carded colored chambrays—plains and fancies:

fancies: 35" to 37", 80 to 84 Sley, 60 to 64 Pick, 3.50 to 3.80 yards.

Seersuckers (carded):
36" to 40", 2.90 to 4.50 yards.
Frock cloth (carded):
36" to 39", 2.00 to 2.35 yards.

(ii) Pro rata widths of like count and weight to the above constructions.

(3) "Hospital clothing processor" shall mean:

(i) A person who purchases hospital clothing textiles for manufacturing, or for the purpose of being manufactured for his account, into hospital clothing for sole

(ii) The converter or finisher of hospital clothing textiles who purchases gray goods for bleaching or finishing for sale to a manufacturer of hospital clothing.

(4) "Inventory" shall mean the total quantity of hospital clothing textiles or of hospital clothing textiles in process of manufacture into hospital clothing or of hospital clothing owned by any hospital clothing processor and held by him in any mill, warehouse, place of storage or manufacturing plant.

(b) Assignment of preference rating. Purchase or manufacturing orders for hospital clothing textiles placed by hospital clothing processors are hereby assigned a preference rating of A-2.

(c) Application of preference rating. Any hospital clothing processor, in order to apply the preference rating assigned by paragraph (b) to deliveries of material to him, must endorse on or attach to each purchase or manufacturing order placed by him to which the rating is applied, a certificate in the following form, signed manually or as provided in Priorities Regulation No. 7 (§ 944.27) by an official duly authorized for such purpose:

CERTIFICATE

The undersigned purchaser hereby certifies to the seller and the War Production Board that he is entitled to apply the preference rating indicated opposite the items shown on the attached purchase order and that such application is in accordance with Priorities Regulation No. 3 as amended, with the terms of which the undersigned is familiar. Furthermore, the undersigned certifies that the fabrics hereby ordered will be used in the manufacture of hospital clothing or otherwise disposed of only as permitted in General

Preference Order No. M-207 and/or Schedule III thereto

(Name of hospital clothing (Address)

(Signature and title of authorized officer) (Date)

Such endorsement shall constitute a representation to the War Production Board and the supplier with whom the contract or purchase order is placed that such contract or purchase order is duly rated in accordance herewith.

Such person applying ratings must maintain at his regular place of business all documents, including purchase or manufacturing orders, preference rating orders and certificates upon which he relies as entitling him to apply or extend such ratings, segregated and available for inspection by representatives of the War Production Board, or filed in such manner that they can be readily segregated and made available for such inspection.

(d) Restrictions on inventory. In addition to the restrictions on inventory contained in Priorities Regulation No. 1 (§ 944.14):

(1) No manufacturer of hospital clothing shall after November 21, 1942, hold in his inventory a total quantity of hospital clothing textiles for such garments, such textiles in process of manufacture into such garments, and such completed garments in excess of such a total quantity as will be delivered out of his inventory within ninety days.

(2) No converter or finisher of hospital clothing textiles who purchases gray goods for bleaching, finishing, or processing into hospital clothing textiles for sale to a hospital clothing manufacturer shall after November 21, 1942, hold in his inventory any hospital clothing textiles in excess of the total quantity of such textiles, including such textiles in process, which will be delivered out of his inventory within ninety (90) days.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Laws 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 21st day of November 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42–12256; Filed, November 21, 1942; 12:22 p. m.]

PART 3045—COTTON TEXTILES FOR WORK APPAREL

[Schedule IV to General Preference Order M-207]

WOMEN'S WORK CLOTHING

§ 3045.5. Schedule IV to General Preference Order M-207. (a) Definitions. For the purposes of this schedule

(1) "Women's work clothing" shall mean any garments designed for and to be sold as female workers' wear while engaged in industrial or agricultural occupations and of the following types: Overalls. Coveralls. Work slacks. Work shirts or blouses. Work jackets. Work dresses. Work aprons.

(2) "Women's work clothing textiles" shall mean:

(i) Cotton sewing thread, and the following fabrics made wholly of carded cotton, except when otherwise expressly provided, either in the gray, original mill, regular finish, or converted state, including seconds but excluding cuts of less than 20 yards as produced in the ordinary course of fabric manufacture:

Denims:

White back, 28" to 29" width basis. Shrunk Regular finish weight basis: weight basis ---- 9 ounce. 2.20 yard______ 8 ounce. 2.45 yard_____ 2.20 yard. 3.00 yard______2 Stripes, 28" to 29" width basis. 2.70 yard. Regular finish weight basis:

2.20 yard _____ 8 ounce. Denims.

Light weight, 35" to 36", 2.50 to 3,00 yards. Coverts:

35" to 36", 2.70 to 3.90 yards.

Pinchecks:

38" to 40", 2.40 to 2.90 yards. Frock cloth:

36" to 39", 2.00 to 2.35 yards.

Seersuckers: 36" to 40", 2.90 to 4.20 yards.

Corduroy: 36" pin wale, 7 to 8½ ounces finished weight, 13 to 16 ribs to inch, 36" thickset, $10\frac{1}{2}$ to $11\frac{1}{2}$ ounces finished weight, 10 to 12 ribs to inch.

Suitings:

All cotton, or cotton and rayon, 35" to 36",

2.00 to 3.40 yards.

Sheetings: 36" 48 x 48, 2.85 yards.

37" 48 x 48, 4.00 yards. 40" 48 x 48, 2.85 yards. 40" 48 x 44, 3.25 yards.

40" 48 x 44, 3.75 yards.

Print cloth:

39" 80/80, 4.00 yards.

39" 64/60, 4.25 yards. 39" 68/72, 4.75 yards.

381/2" 64/60, 5.35 yards.

36" to 37", 3.60 to 4.20 yards.

Poplins:

37" to 39", 2.50 to 3.90 yards.

Jeans:

38" 96 x 64, 2.85 yards.

Twills:

37" to 42", 1.75 to 3.35 yards.

(ii) Any fabric made entirely of rayon and containing not less than 50% of spun viscose or acetate fiber, in weights of 25 to 50 lbs. per one hundred yards, in standard 40" widths.

(iii) Pro rata widths of same count and weight to above constructions.

(3) "Women's work clothing processor" shall mean:

(i) A person who purchases women's work clothing textiles for manufacturing, or for the purpose of having manufactured for his account, into women's work clothing for industrial and agricultural purposes for sale.

(ii) The converter or processor of women's work clothing textiles who purchases gray goods for bleaching, finishing or processing into women's work clothing

textiles for sale to a manufacturer of women's work clothing.

(4) "Inventory" shall mean the total quantity of women's work clothing textiles or of women's work clothing textiles in process of manufacture into women's work clothing or of women's work clothing owned by any women's work clothing processor and held by him in any mill, warehouse, place of storage, or manufacturing plant.

(b) Assignment of preference rating. Purchase or manufacturing orders for women's work clothing textiles placed by women's work clothing processors are hereby assigned a preference rating of

(c) Restrictions on the use of women's work clothing textiles. Notwithstanding the provisions of paragraph (c) (1) of General Preference Order M-207, no women's work clothing processor shall use any women's work clothing textiles secured by him pursuant to the application of the rating assigned by paragraph

(1) In the manufacture of any women's work clothing which is not visibly designated as such by label or other marking

(2) In the manufacture of any work dress, any model other than those generally known as wrap-around or coat styles, or

(3) In the manufacture in the twelve calendar months period beginning December 1, 1942, of more than four models of each of the types of such women's work clothing set out in paragraph (a) (1), or in the manufacture at any one time of more than two models of each such type, unless such other model is made and sold to conform with state, county, or municipal safety laws or plant safety regulations.

(d) Application of preference rating. Any women's work clothing processor in order to apply the preference rating assigned by paragraph (b) to deliveries of material to him, must endorse on or attach to each purchase order placed by him to which the rating is applied, a certificate in the following form, signed manually or as provided in Priorities Regulation No. 7 (§ 944.27) by an officer duly authorized for such purpose:

The undersigned purchaser hereby certifies to the seller and the War Production Board that he is entitled to apply the preference rating indicated opposite the items shown on the attached purchase order and that such application is in accordance with Priorities Regulation No. 3, as amended, with the terms of which the undersigned is familiar. Furthermore, the undersigned certifies that the fabrics hereby ordered will be used in the manufacture of women's work clothing or otherwise disposed of only as permitted in General Preference Order M-207 and/or Schedule IV thereto.

Bv	
	(Signature and title of officer)
	(Address)
	(Date)

(e) Restrictions on inventory. No manufacturer of women's work clothing shall after November 21, 1942, hold in his inventory a total quantity of women's work clothing textiles, such textiles in process of manufacture into women's work clothing and women's work clothing in excess of such a total quantity as will be delivered out of his inventory within 90 days.

(2) No converter or finisher of women's work clothing textiles shall after November 21, 1942, hold in his inventory any women's work clothing textiles in excess of the total quantity of such textiles, including such textiles in process, which will be delivered out of his inven-

tory within 90 days.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 21st day of November 1942. ERNEST KANZLER. Director General for Operations.

[F. R. Doc. 42-12257; Filed, November 21, 1942; 12:22 p. m.]

PART 3056-PETROLEUM COKE

[Conservation Order M-212, as Amended Nov. 21, 1942]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of petroleum coke for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3056.1 Conservation Order M-212-(a) Applicability of priorities regulations. This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(b) Definitions. (1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Petroleum" means petroleum, petroleum products and associated hydrocarbons, including but not limited to

natural gas.

(3) "Raw petroleum coke" means any solid, infusible, carbonaceous residue produced by the destructive distillation of petroleum, when the residue equals or exceeds 5 pounds for every barrel (of 42 gallons) of petroleum processed by destructive distillation.

(4) "Calcined petroleum coke" means raw petroleum coke after being calcined or graphitized.

(5) "Petroleum coke" means raw petroleum coke or calcined petroleum coke.

(c) Limitations on delivery and use of petroleum coke within the United States. Subject to the exceptions in paragraph (d) of this order, no person shall deliver within the United States, and no

person shall accept delivery of or use within the United States, petroleum coke except where (1) it is to be incorporated within the United States into the following materials and articles:

Anodes Arc carbons Bearings Blocks (for other than fuel purposes) Bricks (for other than fuel purposes) Bushings Diffusers Dry battery electrodes Dry battery mixes Electrical contacts Electrodes Extruded specialties Filters Fittings Generator brushes Joint compounds Machined specialties Motor brushes Moulded specialties Packing rings Pipes Powder Raschig rings Resistance and resistor elements 1 Structural material Telephone specialties Tower sections Tubes Welding plates Welding rods, or

- (2) It is to be incorporated within the United States into silicon carbide abrasives, or
- (3) It is to be used (otherwise than as fuel) within the United States in the treating of metals or ores after receipt of the written authorization of the Director General for Operations authorizing the specific use. Applications for such authorization should be made by the prospective user by letter filed in quadruplicate addressed to the War Production Board, Aluminum and Magnesium Branch, Washington, D. C., Ref.: M-212, which letter should state:

(i) His name and address,

- (ii) The quantity and specifications of petroleum coke he proposes to use in the ensuing three months,
- (iii) Why he believes no other material may be used instead of petroleum coke.
- (iv) The quantity of petroleum coke in his inventory on the date of the letter,
- (v) The quantity, if any, of petroleum coke he desires permission to acquire, and
- (vi) The name and address of the supplier, if any, from whom he wishes to acquire the petroleum coke.
- (4) It is to be used in packing electrodes for gas baking and graphitizing purposes during manufacture.
- (d) Exceptions. (1) Any person who had in his possession or under his control not in excess of 100 short tons of petroleum coke (exclusive of briquets) on October 10, 1942, may deliver or use within the United States, free from the restrictions of paragraph (c) hereof, any petroleum coke from such stocks; and any person may accept delivery of any petroleum

- (2) Any person may deliver or use within the United States free from the restrictions of paragraph (c) hereof and any person may accept delivery of or use within the United States free from the restrictions of paragraph (c) hereof, petroleum coke already manufactured into briquets for fuel purposes on October 10, 1942.
- (e) Limitations on delivery of petroleum coke for export. No person shall deliver petroleum coke for export outside of the United States unless and until he has received the written authorization of the Director General for Operations authorizing the specific delivery. Applications for such authorization should be made by the person making delivery by letter filed in quadruplicate addressed to the War Production Board, Aluminum and Magnesium Branch, Washington, D. C., Reference: M-212, which letter should state:
 - (1) His name and address,
- (2) The name and address of the prospective user,
- (3) The quantity and specifications of petroleum coke he proposes to deliver for export to the prospective user and the period in which he proposes to make delivery, and
- (4) The proposed use of the petroleum coke.
- (f) Special directions. The Director General for Operations may from time to time issue specific directions or prohibitions with respect to the production and qualities of petroleum coke,
- (g) Reports. Reports shall be made at such times and on such forms as may be prescribed therefor by the Director General for Operations, War Production Board.
- (h) Appeals. Any person affected by this order (otherwise than by the failure of the Director General for Operations to grant an authorization under paragraph (c) (3) hereof) who considers that compliance therewith would interfere with the war effort, may appeal to the Director General for Operations, setting forth the pertinent facts, and the reasons he considers that he is entitled to relief. Such appeal should be made by letter in quadruplicate and shall be addressed to: War Production Board, Aluminum and Magnesium Branch, Washington, D. C., Ref.: M-212. The Director General for Operations may thereupon take such action as he deems appropriate.
- (i) Communications. All statements and reports required to be filed here-under, and all communications concerning this order, shall, unless otherwise directed, be in duplicate and addressed

to: War Production Board, Aluminum and Magnesium Branch, Washington, D. C., Ref.: M-212.

(j) Violations. Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and, upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control, and may be deprived of priorities assistance.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 21st day of November 1942.

ERNEST. KANZLER,

Director General for Operations.

[F. R. Doc. 42-12258; Filed, November 21, 1942; 12:22 p. m.]

PART 1042—IMPORTS OF STRATEGIC MATERIALS

[Amendment 8 of General Imports Order M-63, as Amended June 2, 1942]

(a) Section 1042.1 (General Imports Order M-63, as amended June 2, 1942) is hereby amended by making the following changes in List I, List II, and List III:

Change	Material	Com- merce import class number
Add to List I	Coir fiber	3409, 0 3420, 0
Move from List I to List II.	Coir manufactures Metallie mineral sub- stances in crude form, not otherwise classified (such as drosses, skim-	N. S. C. 674. 19
	mings, residues, brass foundry ash, and flue dust). Castor oil	226.02
	Glycerine, crude and re-	8290.0 8291.1
Move from List I to List III.	Muru muru nuts and ker- nels.	2239, 63 2239, 64 2239, 65
The second second	Tucum nuts and kernels	2239.66
Move from List II to List I.	Pig and hog bristles	0917.0
Removed from List II.	Combed SAK cotton yarns single or plied, in counts of 60's and finer.	'IN. S. C.
Add to List II	Cotton yarns and fabries as follows:	The same
	English spun combed cotton yarn, single or plied, in counts of 58's	1N. S. C.
	and finer. Cotton rope for spinning	1 N. S. C.
	mules. Grey tracing cloth fab-	1N.S.C.
	Filter cloth	1N.S.C.
A COLUMN	Decating apron fabric Lithograph moleskin	N. S. C.
	Printers molleton	IN. B. C.

Footnote at end of table.

coke from such stocks and thereafter such petroleum coke shall be free from the restrictions of paragraph (c) hereof if used within the United States.

¹7 F.R. 4168, 4199, 4404, 4878, 5638, 6521, 6737, 7089, 7773, 8250, 8422.

¹ Added.

Change	Material	Com- merce import class number
Add to List II	Talc, steatite (magnesium silicate) containing not to exceed 1½% lime and 1½% ferric oxide: Crude and unground. Ground, washed, pow dered, or pulverized. Istle or Tampico fiber manufactures (including all istle products). Broomeon. Shoddy and wool extract. Mungo. Wood rags.	1 N. S. C. 1 N. S. C. 2936, 0 3553, 8 3553, 9 3554, 0 3514, 1 3514, 2
Move from List III to List II.	Wool (apparel, finer than 40's, but not finer than 44's).	3514, 3 3524, 0 3525, 1 3525, 2 3525, 3

¹ N. S. C., no separate class. Commodity number has not yet been assigned by the Department of Commerce. Statistical Classification of Imports.

(b) This amendment shall take effect on November 23, 1942.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 20th day of November, 1942.

ERNEST KANZLER,

Director General for Operations.

[F.R. Doc. 42-12201; Filed, November 20, 1942; 5:09 p. m.]

PART 1052—KITCHEN, HOUSEHOLD AND OTHER MISCELLANEOUS ARTICLES

[Interpretation 1 to Supplementary General Limitation Order L-30-b]

ENAMELED WARE

The following interpretation is hereby issued by the Director General for Operations with respect to § 1052.3, Supplementary Limitation Order L-30-b, issued October 24, 1942:

Paragraph (b) (3) of Order L-30-b provides that the restrictions on the sizes and types of enameled ware articles which may be produced do not apply to articles produced for the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration for use in the field or on ship board pursuant to a contract or subcontract specifying "an article which may not be produced within the limitations of subparagraph (1) of this paragraph (b)." Paragraph (b) (1) in many instances permits a manufacturer to produce only one size of an enameled article within a specified size range; for example, only one size of water pail may be produced within the 10 to 121/2 quart range. A question has arisen as to whether a manufacturer may produce under paragraph (b) (3) an article within such a range, such as a 12 quart pail, for United States Army field use after he has chosen to produce that article for civilian and general military purposes in the 10 quart size, which is within the same range. The answer is that he may produce such a 12 quart pail for military use in the field or on shipboard, though only for such use, just as he may produce for such use a 14 quart

enameled pail, which is not within the range of sizes permitted for general use.

of sizes permitted for general use.

Paragraphs (b) (5) and (b) (6) set quotas on "the use of iron and steel" in the "production of enameled ware." In a case where one manufacturer fabricates steel into a black shape and then ships the black shape to a second manufacturer who coats it with vitreous enamel, the question has arisen as to whose quota of iron and steel is involved. Paragraph (a) (5) defines "iron and steel use" as "the aggregate weight of iron and steel when first put into production by a manufacturer whether in the form of raw materials or as purchased parts." Under this provision both the manufacturer who fabricates the steel into black shapes and the manufacturer who coats the black shapes with vitreous enamel are considered to be "using" iron and steel within the meaning of the order. Consequently, such use must conform to the quota limitations of each manufacturer. In computing his quota, however, each manufacturer is entitled to include in his base period "use" of iron and steel, both the raw material which he fabricated into black shapes and the black shapes which he purchased and to which he applied a vitreous enamel coating.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 23d day of November 1942.

ERNEST KANZLER,

Director General for Operations.

[F.R. Doc. 42-12288; Filed, November 23, 1942; 11:39 a, m.]

PART 3051—Scales, Balances and Weights [Interpretation 1 of Limitation Order L-190]

The following official interpretation is hereby issued by the Director General for Operations with respect to § 3051.1 Limitation Order L-190:

Paragraph (a) (7) of § 3051.1, Limitation Order L-190, defines "Class One scales" to include "commercial scales for use in retail trade." The phrase "commercial scales for use in retail trade" means only cylinder-type scales, fan-type scales, hanging scales and even-balance scales of the kinds, sizes and models commonly used in making sales of merchandise direct to ultimate consumers.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 23d day of November 1942.

ERNEST KANZLER,

Director General for Operations.

[F. R. Doc. 42-12286; Filed, November 23, 1942; 11:38 a. m.]

PART 1055-WOOL

[Conservation Order M-73, as Amended November 23, 1942 for the period August 3, 1942, to January 31, 1943]

Whereas the fulfillment of requirements for the defense of the United States has created a shortage of wool for the combined needs of defense, private account, and export; and the supply is, and may continue to be, insufficient for defense and essential civilian requirements, unless its use is curtalled or prohibited as hereinafter provided; and it is necessary in the public interest and to promote the national defense to allocate wool in the manner hereinafter in this order provided;

Now, therefore, it is hereby ordered,

That:

§ 1055.1 Conservation Order M-73—
(a) Curtailment of use of wool for nondefense orders for period August 3, 1942,
through January 31, 1943. During the
period from August 3, 1942, to January
31, 1943, both dates inclusive, no person
shall put into process, or cause to be put
into process by others for his account, for
nondefense orders, any wool except as
follows:

(1) On worsted system. Any person having a basic quarterly poundage on the worsted system shall be entitled to put into process, or cause to be put into proc-

ess by others for his account:

(i) An amount of wool owned by him not in excess of 20% of such basic quarterly poundage, for the manufacture of fabrics or yarns containing not less than 20% wool, wool waste, noils, reprocessed and reused wool, and

(ii) An additional amount of wool owned by him not in excess of 25% of such basic quarterly poundage for the manufacture of fabrics or yarns containing not more than 65% wool and not less than 20% wool, wool waste, noils, reused and reprocessed wool.

(2) On woolen, cotton, felt or other system. Any person having a basic quarterly poundage on the woolen, cotton, felt, or any other system shall be entitled to put into process or cause to be put into process by others for his account:

(i) in amount of wool owned by him not in excess of 5% of such basic quarterly poundage, for the manufacture of fabrics or yarns containing not less than 20% wool, wool waste, noils, reused and reprocessed wool, and

(ii) An additional amount of wool owned by him not in excess of 25% of such basic quarterly poundage for the manufacture of fabrics or yarns containing not more than 65% wool and not less than 20% wool, wool waste, noils, reused and reprocessed wool.

Provided, however, That notwithstanding the provisions of subparagraphs (1) and (2) above any person who made and sold prior to June 1, 1942, fabrics or yarns containing less than 20% wool, wool waste, noils, reused and reprocessed wool shall be entitled to put into process wool for the manufacture of these same fabrics and yarns within the limitations herein prescribed. Nothing herein contained shall be construed to prohibit the manufacture of fabrics or yarns containing less than 20% of wool waste, noils, reused and reprocessed wool.

(3) On manufacture of floor covering, Notwithstanding the provisions of subparagraph (1) and (2) above, any person whose basic quarterly poundage is calculated from wool put into process for the manufacture of floor covering shall only be entitled to put into process, or cause to be put into process by others for his account:

(i) Amounts of wool of grades 44s and lower, fine carpet wools, coarse carpet wools, coarse alpaca fleece, alpaca seconds or short fleece (unless from Arequipa), Huarizo (unless from Arequipa), llama (unless from Arequipa), or pieces or locks of alpaca or llama, owned by such person, for the manufacture of wool products other than floor covering, and

(ii) Amounts of coarse carpet wool for the manufacture of floor covering,

but shall be entitled to put into process a total amount of such wools for the purposes prescribed which is not in excess of 50 per cent of such basic quarterly poundage calculated from the manufacture of floor covering.

- (b) Bonus for use of certain types of wool. Any person shall, for each pound of wool of grades 44s and lower (including carpet wool), or skin alpaca, coarse alpaca fleece, alpaca seconds, Huarizo, llama, or coarse pieces or locks of alpaca or llama, owned, or hereafter acquired by such person, put into process or cause to be put into process by others for his account, within the limits of paragraphs (a) (1) and (2), be entitled to put into process, or caused to be put into process by others for his account:
- (1) On the worsted system, an additional two pounds of such material owned or hereafter acquired by him,
- (2) On the woolen, cotton or felt system, an additional five pounds of such material owned or hereafter acquired by such person.

(c) Special provision for manufacture of yarn for use in manipulated fabrics. (1) For the purposes of paragraphs (a) (1) and (2) the putting into process of wool for the manufacture of yarns for sale to knitters or weavers to be manufactured by them into fabrics or garments containing not more than 65% wool and not less than 20% wool, wool waste, noils, reused and reprocessed wool. shall be considered as the putting into process of wool for the manufacture of such fabrics: Provided, That each sale of such yarn to a knitter or weaver is made only upon the receipt from such knitter or weaver of a certificate in duplicate, signed on behalf of the knitter or weaver placing such order by a duly authorized person in substantially the following form:

The undersigned hereby certifies to his vendor and to the War Production Board that the yarn covered by this purchase order will be used by the undersigned for the manufacture of fabrics or garments containing not more than 65% wool as the term is defined in Conservation Order M-73, and not less than 20% wool, wool waste, noils, reused and reprocessed wool.

and Provided, further, That one of the duplicate certificates required for each such sale shall be filed with the War Production Board on or before the 15th day of the month following the month in which such sales were made.

- (2) No knitter or weaver furnishing he certificate mentioned in subparagraph (1) of this paragraph for the purchase of yarn shall knit or weave such yarn into fabrics or garments which contain more than 65% wool or less than 20% wool, wool waste, noils, reused and reprocessed wool, or otherwise use or dispose of such yarn.
- (d) Restrictions on use of certain types of wool and of wool content of certain products—(1) Restriction on wool content of blankets for nondefense use. No person shall manufacture for nondefense order any blanket containing more than 80 per cent of wool, wool waste, noils, or reused and reprocessed wool, in the aggregate, except blankets made solely from used or damaged paper-makers' felts and/or used processing felts.
- (2) Restrictions on use of certain wools in drapery and upholstery fabrics for nondefense use. No person shall put into process, or cause to be put into process by others for his account for nondefense order for the manufacture of any drapery or upholstery fabrics any wool other than coarse carpet wool, coarse alpaca fleece, alpaca seconds or short fleece (unless from Arequipa), Huarizo, (unless from Arequipa) or pieces or locks of alpaca or llama.
- (3) Restrictions on use of certain wools in floor coverings. No person shall put into process, or cause to be put into process by others for his account any wool other than coarse carpet wool for the manufacture of floor covering.
- (4) Restrictions on use of alpaca, huarizo and llama. No person shall put into process any No. 1 alpaca fleece from Arequipa, Callao or Tacna, No. 1 skin Alpaca fleece from Arequipa, alpaca seconds or short fleece from Arequipa, Huarizo fleece from Arequipa, or llama fleece from Arequipa, and no person shall use or process any alpaca tops, except for the manufacture of fabrics or yarn to be delivered to or for the account of the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration, or in the manufacture of fabrics or yarns to fill orders therefor accompanied by a certificate, signed by the purchaser, or by a person duly authorized to sign in his behalf, in substantially the following form:

The undersigned hereby certifies to his vendor and to the War Production Board that the yarns or fabrics covered by the annexed purchase order will be used by him in the manufacture of material or equipment to be

delivered to or for the account of the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration.

(e) General exceptions. The prohibitions and restrictions of this order shall not apply to any person to the extent that such person puts wool into process for the making of wool products entirely by hand, including the spinning, and weaving of the fabrics.

(f) Prohibition against sales or deliveries. No person shall hereafter sell or deliver any material to any person if he knows, or has reason to believe, such material is to be used in violation of this order.

(g) Limitation of inventories. No person shall receive delivery of wool or products thereof in the form of raw materials, semi-processed wool materials or finished goods containing wool, in quantities which shall result in an inventory of such material in excess of a minimum practicable working inventory, taking into consideration the limitations placed upon the use of wool by this order: Provided, however, That nothing herein contained shall be deemed to restrict the purchase or delivery of any imported wool to the person importing the same either directly or through an agent or to

sold prior to landing in this country.

(h) Fair distribution of products. In making sales or deliveries of wool yarn, fabrics, styles or patterns, no person shall make discriminatory cuts in amounts or quantities in acceptance of orders or deliveries between former customers and new customers who meet such person's regularly established prices and terms, or between former customers, new customers and his own consumption of these products, or any of them.

the person to whom such wool may be

(i) Additional allotment of wool for use in certain knitted wear. (1) In addition to the amount of wool which any person may put into process, or cause to be put into process by others for his account, pursuant to paragraphs (a) and (b) hereof, such person may put wool into process, or cause wool to be put into process by others for his account, for the manufacture of machine knitting yarns suitable for making machine knitted sweaters, shawls, and underwear, Provided, That:

vided, That:
(1) All such additional wool shall not exceed 10% of such person's basic quarterly poundage,

(ii) Such person makes such yarns to fill orders placed with him after October 30, 1942, by manufacturers of machine knitted sweaters, shawls or underwear, or by jobbers who deal in machine knitting yarns, and

(iii) Each such order is accompanied by a certificate signed by the purchaser, or by a person duly authorized to sign in his behalf, in substantially the following form:

The undersigned hereby certifies to his vendor and to the War Production Board that he is entitled under the provisions of paragraph (1) of M-73, as amended for the period August 3, 1942 to January 31, 1943 to purchase machine knitting yarns made from the special allotment of wool granted therein, and

that the knitting yarns covered by the annexed purchase order will be put into process by him prior to January 15, 1943, and only in the manufacture of machine knitted sweaters, shawls or underwear, containing not more than 65% wool, or will be put into process by others for his account for such purposes before such date.

For the purpose of the above certificate "put into process" shall mean the first operation on knitting yarn performed by the knitter, such as dyeing, scouring, winding or knitting or otherwise, as the case may be.

(2) The bonus established by paragraph (b) for use of certain types of wool shall be operative with respect to amounts of wool put into process pursuant to subparagraph (1) of this para-

graph (i).

(3) Persons putting wool into process for the nanufacture of machine knitting yarns pursuant to the provisions of sub-paragraphs (1) and (2) of this paragraph (i) shall report the amount of wool so put into process in their monthly reports on Form PD-274 under the heading "Special Wool Grant, Series S."

(j) Miscellaneous provisions-(1) Priorities Regulation No. 1. This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 (Part 944), as amended from time to time, except to the extent that any provisions hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(2) Appeal. Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably lisproportionate compared with the amount of wool conserved, or that compliance with this order would disrupt or impair a program of conversion from nondefense to defense work, may appeal to the War Production Board on the form provided therefor setting forth the pertinent facts and the reason he considers he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(3) Applicability of order. The prohibitions and the restrictions contained in this order shall apply to the use of wool put into process on or after August 3, 1942 in all articles hereafter manufactured. Insofar as any other order of the Director General for Operations may have the effect of limiting or curtailing to a greater extent than herein provided the use of wool in the production of any article, the limitation of such other order

shall be observed.

(4) Violations. Any person who wilfully violates any provisions of this order, or who in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(5) Definitions. For the purposes of this order:

(i) "Wool" means the fiber from the fleece of the sheep or lamb, or the hair of the Cashmere goat or camel or the alpaca, llama, vicuna, and related fibers, including fine carpet wool and coarse carpet wool, but (except for the purposes of paragraph (h)) shall not include noils, waste, reprocessed or reused wool, or yarn or cloth.

(ii) "Fine carpet wool" means wool which, under paragraph 1101 of the Tariff Act of 1930, may be imported free of duty for the manufacture of floor covering (but which under the terms of this order may only be used for the manufacture of wool products other than floor covering, and other than drapery and upholstery fabrics on nondefense orders) identifiable under the following names: Persian Gulf fleece, New Zealand fleece, Criolla, Joria, and Thibet number one white.

(iii) "Coarse carpet wool" means wool which, under paragraph 1101 of the Tariff Act of 1930, may be imported free of duty for the manufacture of floor covering, not specifically named in sub-

paragraph (ii) above.
(iv) "Inventory" of a person includes
the inventory of affiliates and subsidiaries

of such person, and the inventory of others where such inventory is under the control of or under common control with or available for the use of such person.

(v) "Manufacture" means any and all processing on any system beyond the scouring operation, excepting only the carding and combing operations on the worsted system.

(vi) "Put into process" means:

(a) On the worsted system, the first process of drawing after combing.

(b) On any other system using tops, cut tops or broken tops, the first operation of cutting, breaking, picking or carding as the case may be.

(c) On the woolen, felt, or any other system not using tops, the first step after scouring, carbonizing, dusting or similar cleaning or preparatory process.

(vii) "Basic quarterly poundage" for any single system of manufacture shall mean one half of the number of pounds of wool and mohair, either kid or adult, put into process on that system by a person or for his account during the period from December 29, 1940, to June 28, 1941, both inclusive or for the period from January 1, 1941, to June 30, 1941, both inclusive, according to the method of keeping production records maintained by such person during such period. Such poundage shall be determined as follows:

(a) On the worsted system or any other system using tops, the weight of tops put into process at 15 percent moisture regain, 31/4 percent of oil and natural fats.

(b) On the woolen system, scoured wool, and mohair, either kid or adult, at 12 percent moisture.

(c) On the felt or any other system. the weight of wool and mohair, either kid or adult, in the stage immediately preceding putting into process.

(6) Reports and records. person who puts wool into process shall file with the War Production Board, such reports or forms, setting forth the amount of wool put into process in any period, the yardage of fabrics and/or the amount of yarns produced therefrom and the fiber content of each type thereof, the amount of wool expected to be put into process in any period, the yardage of fabrics and/or the amount of yarns expected to be produced therefrom and the fiber content of each type thereof, and such other information, as the Director General for Operations may prescribe.

(ii) All persons who put wool into process shall keep and preserve such records as will clearly and adequately show their methods and amounts of con-

sumption hereunder.

(7) Reports and correspondence. All applications, statements, or other communications filed pursuant to this order or concerning the subject matter hereof should be addressed to the War Production Board, Textile, Clothing and Leather Branch, Washington, D. C. Ref.: M-73.

(k) Effective date. This order shall take effect on August 3, 1942.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671. 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 23d day of November.

ERNEST KANZLER. Director General for Operations.

[F. R. Doc. 42-12289; Filed, November 23, 1942; 11:38 a. m.]

PART 1084—CANNED FOODS

[Supplementary Order M-86-a as Amended Nov. 23, 1942]

Section 1084.2 Supplementary Order M-86-a is hereby amended to read as follows:

§ 1084.2 Supplementary Order M-86-a. (a) Pursuant to Order M-86, which this order supplements, it is hereby ordered that each canner shall set aside to be delivered for the requirements of government agencies, pursuant to Order M-86, a quota of fruits and vegetables packed by him at any time in the calendar year 1942 or, when specified in Tables II and III, attached hereto, in 1942-3. Such quota of fruits and vegetables shall be of the kinds and in the percentages set forth in Columns A and B of Tables I. II, and III, attached hereto.

If the type, style, or variety of any such fruit or vegetable is described in Column C, such quota shall be in the type, style, and variety described, but other types, styles or varieties shall be substituted to the extent that those specified in Column C are not packed. To the extent that the canner's production of the first preference grade of such fruit or vegetables specified in Column E

is sufficient, at least two-thirds of the quota, but preferably the entire quota, shall be set aside from such grade. the extent that the quantity so set aside does not fill his quota, the canner shall set aside sufficient of his production of the second preference grade, if any, specified in Column F to complete his quota. To the extent that the quantities so set aside out of both first and second preference grades do not fill his quota, the canner shall set aside suffi-cient of his production of the third preference grade, if any, specified in Column G to complete his quota.

To the extent possible and insofar as compliance with the above grade requirements permits, at least two-thirds of the quota, but preferably the entire quota, shall be set aside in the largest can size specified in Column D. The balance shall be reserved in the 1.3xt largest can sizes available in the order of preference specified in Column D.

Any canner who is required to set aside canned goods pursuant to this order shall provide himself with the necessary materials to pack such canned goods in export boxes, which may be nailed wooden boxes, weatherproof solid fiber boxes, or wirebound wood boxes, at his option according to specifications attached hereto, except that nailed wooden boxes and weatherproof solid fiber boxes shall not be wired or strapped except as specifically directed by the purchaser.

(b) The report prescribed by paragraph (c) (2) of Order M-86 shall be given on Form PD-343, Seasonal Pack Report. In the case of products listed in Tables II and III, of which the seasonal pack is completed in 1943, the report shall be filed within fifteen days of the completion thereof and shall not be limited to the year 1942 as indicated in the caption of said Form PD-343.

(c) The notice permitted by paragraph (c) (3) of Order M-86 may be given if any goods set aside in compliance with this order have not been purchased within sixty days after the mailing or filing of the report with respect to such goods prescribed by paragraph (c) (2) of said Order M-86.

Issued this 23d day of November 1942. ERNEST KANZLER.

Director General for Operations.

TABLE I-PRIMARY PRODUCTS

The quota of any product listed in Column A to be set aside by any canner for the Government shall be equal to the percentage shown in Column B applied to his total 1942 pack of that product.

A	В	C	D	E	F	G			
Conned fruits	Percent-		Can also multipled		Grade				
Canned fruits age of and vegetables 1942 pack	1942	Description	Can sizes preferred in order listed	First preference	Second preference	Third preference			
Fruit cocktail Peaches 3	40 38	Clings, freestone; halves, sliced,	10-21/2-2	Choice	Fancy. Top std, clings only,	Fancy.			
PearsAsparagus	40 30	Bartlett halves	10-21/2-2	Choice Fancy cut	Top std.1 Fancy spear.	Standard.			
Beans, Lima	35	all green. Fresh	10-2	Ext. std	Fancy green	Std. fresh			
Beans, string	- 35	Cut-green, wax:	10-2	Ext. std	Top std.1	white. Fancy.			
Corn, sweet	35	round, flat. Yellow-white; cream style. Whole kernel.	#2-full inside en- amel—Cream style and whole kernel; #10-full inside enamel— Whole kernel only.	Ext. std	Fancy	Standard.			
Peas	35	Alaska's, 3, 4 sieve, sweets, 8 sieve and	10—2	Ext. std	Top std.i	Fancy.			
Tomatoes Tomato catsup.	35 38	larger, ungraded.	10-2½-2 10-14 oz. glass and larger.	Ext. std	Top std.1 Standard.	Fancy.			
Tomato juice	17		10-3 cyl. (404 x 700).	solids. Fancy.		E 22			

Top Standard means 70-74 inclusive as defined in terms of U. S. Grades.
 Except Freestone Peaches packed in California. (See Table II.)

TABLE II-SECONDARY PRODUCTS

The use of tinplate in packing these products is restricted by Conservation Order No. M-81 as it may be amended from time to time. The quota to be set aside for the Government will be equal to the percentage shown in Column B below applied to the maximum production permitted by Order M-81. Such quota may be packed in addition to the pack permitted by Order M-81. If actual production is less than the quota, the entire pack of the particular product shall be set aside.

A	В	C .	D	E	F	G
Connect femiles	Per- centage		Con along markets at		Grade	
Canned fruits as defined above	Description	Can sizes preferred in order listed	First preference	Second preference	Third prefence	
Apples 3	100	Heavy pack	10	Standard.		
Applesauce 3	60	Fresh	10-2	Fancy	Standard.	7000
Apricots	75	Halves unpeeled	10-21/2	Choice	Top Std.1	Fancy.
Cherries RSP	44	Red pitted (water	10-2	Standard		2000
Cherries, sweet.	50	pack). Light, dark pitted, un- pitted.	10-21/2-2	Choice	Top Std.1	Fancy.
Peaches	26	Freestone (cal. only)	10-21/2-2	Choice	Fancy.	
Pineapple	34	Sliced, crushed, tid- bits (except salad and cocktail tidbits), chunks	10-21/2-2	Fancy	Standard.	
Pineapple juice.	-14	***************************************	10-3 cyl. (404 x 700) 234-2,	Faney.		
Prunes, fresh	50	Italian	10-236	Choice	Fancy.	
Beets	100	Cut-quartered sliced- diced.	10-21/2-2	Fancy	Top Std.	
Carrots	100	Diced	10-21/2-2	Fancy	Top Std.3	
Pumpkin	72		21/2	Fancy	Top Std.2	-
Spinach	58		10-21/2-2	Fancy	Top Std.2	

¹Top standard means 70-74 inclusive as defined in terms of U. S. Grades. ²Top standard means 80-84 inclusive as defined in terms of U. S. Grades. ³1942-1943 seasonal pack.

TABLE III-CANNED CITRUS PRODUCTS

The quota to be set aside for Governmental purchase from a canner's production during the quota period of any product listed in Column A shall be computed by applying the percentage in Column B against the canner's total production, by weight, of that product in the base period. The quota period shall be August 1, 1942 to July 31, 1943, in Florida, Texas and Arizona, and December 1, 1942

to November 30, 1943 in California. The base period shall be the corresponding period one year prior to the quota period.

_ A	В	0	D	E	F	G	
	Per- cent of		Can sizes (se-	Grade			
	1941-42 pack	Type, style, variety	quence denotes preference)	First preference	Second preference	Third preference	
Grapefruit Grapefruit 'uice	19 48	Segments	2 10—3 cyl. 2	Fancy	Choice Standard.	Standard.	
Orange julce	21	Sweetened or unsweet-	10-3 cyl. 2	Fancy	Standard.		
Orange and grapefruit juice blended.	100	Sweetened or unsweet- ened.	10-3 cyl. 2	Fancy	Standard.		

SPECIFICATIONS FOR BOXES

1. Weatherproof solid fiber boxes. Weatherproof solid fiber boxes must be of one piece regular slotted construction, metal stitched body joint; construction in accordance with the following table:

Totalweight (exclusive of box)	Minimum thickness of board (inch)	Minimum bursting strength (pounds)
Not exceeding 42 lbs. Over 42 lbs., but not exceed-	0,090	325
ing 65 lbs.	.100	375

Boards shall further comply with the following waterproofing tests: Specimens 6" x 10", cut from unscored sections of boxes, shall be completely immersed in water for one hour, after which the component plies must not separate beyond 2" from the edges of the piece; after total immersion for 2½ hours similar samples must test not less than 50% of the originally specified bursting strength, and must weigh not more than 150% of the weight before immersion.

Bottom flaps shall be metal stitched, to the extent the canner's facilities permit, otherwise bottom flaps shall be securely sealed by gluing over all areas in contact; top flaps shall be sealed by gluing over all areas in contact. The sealed boxes shall be reinforced by two flat or round steel straps each having a joint or knot breaking strength of not less than 290 lbs., applied at right angles (over sides, top, and bottom, and over ends, top, and bottom), toward centers of respective panels, but over points of contact of cans with wall of box. Boxmaker shall print or clearly mark by knurled impressions which do not impair the strength of the board, approximately 3/8" wide, to indicate the position

of the strapping, and shall print a guarantee of compliance with this specification.

2. Wirebound wood boxes. Shall comply with Federal Specification NN-B-631a, except as follows: Styles 1, 2, or 3 boxes, or boxes with twisted loop closures, may be used. Veneer or sawed boards, of the following thicknesses, shall be used:

	Minimum thickness or sides, top, bottom, ends, and liners			
Total weight (exclusive of box)	Group I woods (see note I) (inch)	Group II and group III woods (inch)	Group IV woods (inch)	
Not exceeding 55 lbs Over 55 lbs, but not ex-	3/16	34	3/8	
ceeding 85 lbs. Over 85 lbs., but not ex-	34	36	35	
ceeding 125 lbs	- 916	3/10	36	

NOTE 1: The following species of Group I may be of the same thickness permitted for Group II or III woods for sides, top, bottom, end and liners only: Cottonwood, Cypress. Magnolia. Noble Fir and Spruce.

Cleats shall not be less than 13/16" x 13/16" and shall be made of Group II, III or IV woods.

Binding wires shall be not less than No. 15 gauge (.072" diameter). Girth wires shall be spaced not more than 6" apart. End wires on Style No. 3 boxes shall be spaced not more than 6" from cleats or from each other.

Style No. 3 boxes shall have 2 edge lines, not less than 11/8" wide attached to each end perpendicular to (across) the grain of the end boards.

Boxes shall be printed with the name and address of the manufacturer and a guarantee of compliance with this Specification.

3. Nailed wooden boxes. Boxes shall be made of new materials and of good commercial quality. All boxes shall be

made of seasoned lumber having a moisture content not to exceed 18%. The pieces shall show no defects that materially weaken them, expose the contents of the box to damage or interfere with nailing. No knot or knot hole shall have a diameter exceeding one-thi-d the width of the piece. Surfaces of box parts shall be sufficiently smooth to permit legible stenciling and shall not be splintery. Boxes for weights not exceeding 75 lbs. shall be Style 1, Federal Specification NN-B-621a. Bexes for weights exceeding 75 lbs. shall be Style 5 with triangular cleats for round or oval cans and Style 4 for square and oblong cans.

(Thickness of parts of boxes)

Total weight (exclu-	ished th	um fin- nickness nds	Minimum fin- ished thickness of sides, tops, and bottoms	
sive of box)	Group I or II woods (inch)	Group III or IV woods (inch)	Group I or II woods (inch)	Group III or IV woods (inch)
Not exceeding 551bs Over 551bs., but not	76	240	- %2	34
exceeding 75 lbs Over 75 lbs., but not	36	13/10	1362	910
exceeding 10(lbs	34	11/16	11/42	510

Each side, top and bottom shall be nailed to each end piece with not less than four six-penny cement coated box nails for Groups I and II woods, or four five-penny cement coated box nails for Groups III and IV woods, spaced not more than three inches apart.

Boxes shall be sized to allow approximately one-eighth inch over exact length, width and height of contents.

The nailed boxes shall be reinforced by two flat or round steel straps, each having a joint or knot breaking strength of not less than 290 lbs., applied over sides, top, and bottom, approximately 1/6 the distance from each end of box.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.K. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

{F. R. Doc. 42-12290; Filed, November 23, 1942; 11:38 a. m.}

PART 1084—CANNED FOODS [Conservation Order M-237, as Amended November 23, 1942]

The fulfillment of requirements for the defense of the United States has created a shortage in the available supply of

canned fruits and vegetables for defense, for private account and for export, and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1084.15 Conservation Order M-237-(a) Definitions. For the purposes of this

- (1) "Canner" shall mean any person engaged in the business of canning foods in hermetically sealed metal or glass containers and sterilizing the same by the use of heat.
- (2) "Civilian pack" shall mean the total amount by weight of all grades of all restricted canned foods in any one of the three groups listed in Exhibit A canned by any canner during the season specified, excluding any food which the canner is required to set aside by Conservation Order M-86 and orders amendatory and supplementary thereto, and which is not released from the operation of such orders by the Director General for Operations, and also excluding any canned foods actually purchased by or contracted for, or packed pursuant to duly authorized letter of intent issued by, any non-quota purchaser. This definition shall not be deemed to affect or change the meaning of the term "pack" as used in Conservation Order M-81, wherein such term refers to area of tinplate or terneplate, nor to affect or change the meaning of the term in Conservation Order M-86.
- (3) "Restricted canned foods" shall mean any of the fruits and vegetables listed in Exhibit A attached hereto, packed in hermetically sealed metal or glass containers and sterilized by the use of heat, during the packing seasons indicated in said exhibit, excluding, however, liquid, strained, mashed or chopped canned foods, when packed as infant food or for invalid feeding, and excluding jams, jellies, preserves, marmalades, pickles, relishes, and soups. (4) "Non-quota purchaser" shall

(i) The Army, the Navy, the Marine Corps, the Coast Guard, the Coast and Geodetic Survey, the Defense Supplies Corporation, War Shipping Administration or any agency of the United States Government for supplies to be delivered to, or for the account of the government of any country pursuant to the Act of March 11, 1941, ent tled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(ii) Any person operating an oceangoing vessel engaged in the transportation of cargo or passengers in the foreign, coastwise, or intercoastal trade, for necessary supplies for such vessels.

(iii) Any person who furnishes eating facilities for members of the armed forces pursuant to contract therefor with the United States, for necessary supplies for such purpose, if such person furnishes copies of his contract to the canner, or other adequate evidence that such re-

stricted canned foods are required for such use.

(iv) Any person who purchases restricted canned foods for delivery in any territory or possession of the United States, if such person furnishes to the canner copies of purchase orders or other adequate proof that the restricted canned foods actually were purchased for delivery in any such territory or possession: Provided, That proof shall not be required of a government agency.

(v) Any person who purchases restricted canned foods for use in the commercial manufacture of food products, to the extent of his current requirements (grape juice, tomato pulp in 5 gallon cans, tomato paste in #10 cans,

and peppers, only).

(vi) Any person who purchases restricted canned foods from a canner for resale to a non-quota purchaser, or to replace in his inventory material delivered to a non-quota purchaser, to the extent of his purchases for such purposes, if he furnishes to the canner copies of purchase orders or other adequate proof that such resales or deliveries were to non-quota purchasers

(5) "Wholesale receiver" means any person other than a non-quota purchaser (regardless of whether or not he is also a canner) who since June 30, 1942, bought in excess of 4,000 cases of any group of restricted canned foods for any purpose.

(b) Restrictions on delivery. Without regard to existing contracts, and except as authorized in this paragraph and in paragraphs (b) (2), (3), (4), and (5) below, no canner shall deliver more than 35% of his civilian pack of any group of canned foods listed in Exhibit A before December 1, 1942, nor more than 70% thereof before April 1, 1943. Deliveries already made on or before September 26, 1942 shall not be deemed in violation of this paragraph, but shall be charged first against the 35% permitted before December 1, 1942, and if in excess of 35%, against subsequent delivery quotas in their chronological order. No delivery to a non-quota purchaser shall be deemed in violation of this paragraph, notwithstanding that it may reduce a canner's permitted delivery quota for any period below his prior actual deliveries during that period, but any such excess shall be charged against the canner's quota for the ensuing period. For the purpose of calculating the delivery quotas permitted by this paragraph all canning plants owned directly or indirectly by a single person may be regarded at the canner's election either separately as single units or as a whole, but such election, once made, must be adhered to for all the purposes of this order.

(2) Notwithstanding paragraph (b) (1), but subject to paragraph (b) (3), any canner may deliver, and any person (except a wholesale receiver prohibited from accepting delivery by paragraph (b) (4)) may accept delivery from a canner, of any restricted canned foods, in advance of the permitted delivery date for such foods, if the canner notifies the purchaser in writing of the permitted delivery date of such restricted canned foods, and if such purchaser certifies in writing that he will not deliver, transport, or use such restricted canned foods in advance of the permitted delivery date. Such certificate shall be provided to the canner and a copy filed with the War Production Board, and it shall be in substantially the following form:

Pursuant to paragraph (b) (1) of Order M-237, with the terms of which order the undersigned is familiar, we have this day accepted delivery of _____, (describe merchandise) from _____

(canner)

We understand that we are not permitted to deliver, transport, or use such merchandise until _____, 19__, as it is part of the pack which _____ was required to hold until that date.

By .

(Purchaser) (Duly authorized official)

No person who accepts delivery of any restricted canned foods with knowledge or reason to believe that such foods are delivered in advance of their permitted delivery date may deliver, transport, or

use such foods in advance of such date. (3) The restrictions on delivery in paragraph (b) (1) do not prohibit shipment for storage at the point of destination or in transit in advance of the permitted delivery date, provided that possession and control do not pass to the purchaser. The 30% which may not be delivered before April 1, 1943 must be stored at or near the canner's plant until the time when such delivery is permitted. If any canner or person accepting delivery from a canner pursuant to paragraph (b) (2) is unable to store any part of the canner's pack in a heated warehouse at or near his plant, he may so notify the War Production Board in writing and unless he receives instructions to the contrary within two weeks after the date of such notice, he shall not be required to hold such part of the pack at or near such plant.

(4) Any wholesale receiver who between August 1, 1942, and April 1, 1943, has accepted or shall have accepted delivery of restricted canned foods of any group equaling or exceeding the following percentage of his base figure

		Perc	ent
		I	70
		II	80
for	group	III	80

shall not sell, deliver, or use such excess of such group, and shall not accept delivery of any further restricted canned foods of such group. The base figure for each wholesale receiver for each group shall be, at his option, either the total of his acceptances of delivery, or of his sales, between January 1, 1942, and August 31,

1942, of all canned foods listed in such group, whenever packed. Canned foods for resale to non-quota purchasers or to replace in the wholesale receiver's inventory material so sold are subject to the limitations of this subparagraph unless evidence is furnished to the canner as prescribed in paragraph (a) (4) (vi). Notwithstanding this subparagraph, a wholesale receiver may accept delivery from a canner in excess of his quota in advance of the canner's permitted delivery date, as permitted in paragraph (b) (2), whenever the canner's permitted delivery date is not earlier than April 1, 1943. The restrictions of this paragraph (b) (4) shall expire on April 1, 1943, unless extended by further order of the Director General for Operations.

(5) Any canner ma, deliver not to exceed 80% of his pack of apple juice, cranberries, pumpkin, and squash, at any time prior to April 1, 1943, notwithstanding the limitations of paragraph (b) (1), without charge against his quotas for other restricted canned foods.

(6) No wholesale receiver may deliver during the month of November, 1942, and during each of the following months more restricted canned foods of any group than monthly quotas constituting the following percentages of his base figure.

For group I
For group II 10
For group III 10
The base figure shall be calculated as pre-
scribed in paragraph (b) (4). If during
November, 1942 any wholesale receiver
has delivered restricted canned foods of
any group in excess of his permitted
monthly quota for that group, he shall
charge such excess against his quotas for
December and January. Not less than
50% of such excess must be charged
against the December quota. Deliveries
to non-quota purchasers are not required
to be charged against the monthly quota
percentages prescribed by this paragraph
(b) (6), if in calculating his quotas the
wholesale receiver deducts deliveries to
non-quota purchasers during the base
period from the base figure. The restric-
tions of this paragraph (b) (6) shall ex-
pire on April 1, 1943, unless extended by
further order of the Director General for
Operations.

(c) Reports. Canners to whom this order applies shall execute and file with the War Production Board such reports and questionnaires as said Board may from time to time request.

(d) Records. Every person to whom this order applies shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(e) Audit and inspection. All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(f) Violations. Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or accepting further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

(g) Appeals. Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship upon him may appeal in writing to the Director General for Operations setting forth the pertinent facts and the reasons he considers that he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(h) Communications to War Production Board. All reports required to be flied hereunder and all communications concerning this order, shall unless otherwise directed, be addressed to: War Production Board, Food Branch, Washington, D. C., Ref: M-237.

(i) Applicability of priorities regulations. This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024; 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 23d day of November 1942.

ERNEST KANZLER,
Director General for Operations.

EXHIBIT A

Group I

Fruits Packing se	ason
Apples, including crabapples	2-43
crabapples 194	2-43
Apricots	1942 1942
Cherries, red sour pitted	1942

Group I-Continued

Fruits Packing	g season
Combinations of oranges and grape- fruit	1942-43
30113	1942-43
Figs.	1942
	1942-43 1942-43
	1942-43
Crushes and an arrangement of the contract of	1942-43
Peaches, including nectarines	1942
	1942-43
Plums	1942
Prunes	1942

Group II

Fruit and vegetable juices Packin	g season
Apple	1942-43
Beet	1942-43
Carrot	1942 43
Celery	1942
Cherry	1942
Cranberry	1942-43
Berry, all	1942
Grape	1942
Grapefruit	1942-43
Grapefruit and orange combination_	1942 43
Lemon	1942-43
Lime	1942 43
Orange	1942 43
Pineapple	1942-43
Prune	1942-43
Sauerkraut	1942-43
SauerkrautSpinacl	+ 1942
Tomato and tomato cocktail	
Mixed vegetables	1942
All fruit nectars	1942

Group III

	and the same of th
Vegetables	Packing season
Artichokes	1942-43
Asparagus	1942
Green and wax beans	1942
Green soya beans	1942
Lima beans	1942
Shell beans	1942
Beets	1942-43
Broccoli	1942
Brussels sprouts	1942
Cabbage	1942
Carrots	1942-43
Carrots and peas	1942 43
Cauliflower	1942
Celery	
Corn, including corn-on-cob	1942
Spinach and other green leafy	vege-
tables	1942
Mushrooms	1942-43
Okra	1942
Onions	1942 43
Peas	
Peppers and pimentos	1942
Potatoes, white	
Pumpkin and squash	
Succotash	1942
Sweetpotatoes and yams	
Sauerkraut	
Tomatoes, whole or parts	
Tomato puree and pulp	
Tomato paste	
Tomato sauce	
Mixed vegetables, including ve	
bles for salad	1942

[F. R. Doc. 42-12291; Filed, November 23, 1942; 11:38 a. m.]

Chapter XI-Office of Price Administration PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Ration Order 12]

COFFEE RATIONING REGULATIONS

Preamble. Interruptions in ocean communications and the use of available shipping space to carry materials important to the prosecution of the war have resulted in a recent sharp decline in coffee imports. The supply of coffee in the United States, which depends virtually in its entirety upon ocean-going transportation, has, therefore, suffered to such an extent that it is insufficient to satisfy normal demands. In addition, the tremendous purchases and consumption of coffee by the armed forces has depleted the coffee supply that would normally be available for civilian consumption.

Coffee has become an important drink to practically the entire adult population of this country. It is important, therefore, to take steps to insure the orderly distribution of coffee so that each person may obtain his share of the coffee available for distribution. The War Production Board has accordingly directed the Office of Price Administration to ration coffee. Ration Order No. 12 is issued pursuant to that directive.

Because the supply of coffee is inadequate to provide the entire population with coffee in amounts sufficient to satisfy normal demands and because the youngest members of the community are those who would suffer least from being deprived of coffee, no coffee ration is being provided for children fourteen years old and younger. No one will be allowed to obtain coffee with the coffee stamps contained in such children's war ration

In order to allow retailers and wholesalers of coffee to build up their stocks of roasted coffee, coffee cannot be sold to consumers during the period from November 22, 1942, to November 28, 1942, inclusive. Certain stamps contained in War Ration Book One will be designated as coffee stamps and will enable consumers to acquire their coffee rations. Consumers will not, however, be allowed to buy green coffee even with coffee stamps

In order to assure that dealers will have available sufficient coffee to sat-isfy consumers' rations, provisions are made for allowing retailers and wholesalers working inventories which they will be able to replenish through use of the same coffee stamps.

Roasters and persons dealing in green coffee will be able to buy green coffee without the use of coffee stamps or certificates. Roasters, however, must have on hand stamps or certificates equal in weight value to the coffee roasted and sold by them.

Institutions will receive bimonthly allotment certificates at their local war price and rationing boards.

To provide information necessary to the proper administration and enforcement of this rationing program, all members of the trade are required to take an initial inventory, to keep certain records, and to make certain reports.

Accordingly, pursuant to the authority vested in the Administrator by Executive Order No. 9125, issued by the President on April 7, 1942, and Directive No. 1 and Supplementary Directive No. 1-R ' of the War Production Board, issued on January 24 and November 20, 1942, respectively, It is hereby ordered, That:

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¹ Supra.

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AUTHORITY: §§ 1407.951 to 1407.1092, inclusive, issued pursuant to Pub. Law 671, 76th Congress, as amended by Pub. Laws 89, 507, 421, and 729, 77th Congress; W.P.B. Dir. No. 1, Supp. Dir. No. 1-R, 7 F.R. 562, supra.

SCOPE OF RATION ORDER NO. 12

§ 1407.951 Territorial limitation. Ration Order No. 12 shall apply within the 48 States of the United States and within the District of Columbia.

DEFINITIONS

§ 1407.952 Definitions. When used in Ration Order No. 12 the term:

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(a) "Acquire" means to accept L transfer or otherwise obtain possession of, title to, or any interest in coffee.

(b) "Beverage," unless otherwise in-

dicated by the context, means the drink commonly known as "coffee."

(c) "Board" means a war price and rationing board or, if the context so indicates, the specific war price and rationing board having jurisdiction over specific persons or establishments.

(d) "Certificate" means a coffee purchase certificate. A coffee purchase certificate shall consist of O.P.A. Form R-306 with the word "sugar" stricken wherever it appears thereon, with the words "coffee in the amount of" inserted on the line in such form provided for insertion of amount, and with the words "Rationing Order No. 3 (Sugar)" stricken from the following line.

(e) "Coffee" means green or roasted coffee, packaged or unpackaged, bean or ground, and includes any substitute or substance, including but not limited to chicory, cereal, peas, or beans when mixed, blended, or compounded with coffee. Wher modified by the word "green" or "roasted," the term "coffee" shall denote only the kind of coffee indicated. "Coffee" does not include soluble or liquid extract coffee or similar products processed or manufactured in whole or in part from coffee but does include coffee from which all or part of the caffeine has been removed.

(f) "Coffee stamps" means stamps numbered 20 to 28, inclusive.

(g) "Compounder" means a person, other than a consumer, a registering unit, or an industrial user, who mixes or blends coffee with any substitute or substance including but not limited to chicory, cereal, peas, or beans for the purpose of transfer.

(h) "Consumer" means any individual acquiring or seeking to acquire coffee for personal use, who has obtained a war ration book pursuant to Rationing Order No. 3 or Ration Order No. 12, and whose age, as entered in said war ration book, is 15 years or over.

(i) "Establishment" means the business or operation subject to Ration Order No. 12, conducted at or from a particular location. Each shipping point from which one or more car, wagon, or other house-to-house routes originate shall be deemed a separate establishment.

(j) "Family unit" means a group of two or more individuals, consisting of all persons customarily living together in the same household (including persons temporarily absent therefrom) who are related by blood, marriage, or adoption.

(k) "Industrial establishment" means an establishment which uses coffee in the production, manufacture, or processing of soluble coffee or any product other than coffee. It does not include an establishment which only blends, mixes, or compounds coffee with substitutes or substances including but not limited to chicory, cereal, beans, or peas, or which brews coffee to make beverages. A person owning an industrial establishment is, with respect to the ownership and

operation of such establishment, an industrial user

(1) "Institutional es vablis a ment" means an establishment which uses reasted coffee in the preparation of a beverage.

(m) "Person" means any individual, corporation, partnership, association, or business trust, and includes the United States or any agency thereof, and any State or any political subdivision or agency thereof, and any other government or agency thereof.

(n) "Purchase warrant" statement prepared and signed by a retailer or wholesaler for the purpose of acquiring roasted coffee and certifying to the authority of the retailer or wholesaler to acquire, under Ration Order No. 12, roasted coffee in the amount stated thereon.

(o) "Ration period" means the period designated by the Office of Price Administration during which a coffee stamp shall be valid for use by a consumer,
(p) "Registering unit" means the in-

stitutional establishment or group of institutional establishments selected by the owner thereof to be treated as a single unit for the purposes of Ration Order No. 12 and which is so registered by him. A person owni g a registering unit is, with respect to the ownership and operation thereof, an institutional user.

(q) "Retail establishment" means an establishment engaged in a business involving the transfer of roasted coffee which makes at least 50 per cent of its transfers of all merchandise to consumers. A person owning one or more retail establishments is, with respect to the ownership and operation thereof, a retailer

(r) "Roaster" means a person who roasts green coffee owned by him or has green coffee supplied by him roasted for his account on a fee or similar basis by some other person. Whenever in Ration Order No. 12 reference is made to green coffee roasted by a person it shall include green coffee supplied by such person but roasted for his account on a fee or similar basis by some other person and shall not be included by such other person as green coffee roasted by him.

(s) "Stamp" means a war ration stamp originally contained in a war ration book,

(t) "Transfer" means sell, lease, lend, trade, give, ship, deliver, or transfer, in any way, the ownership or possession of coffee or any interest therein from one establishment or person to another establishment or person. It includes diverting to consumer use coffee held for sale or transfer whether or not a change in ownership or possession results.

(u) "War ration book" means War Ration Book One (O.P.A. Form R-302).

(v) "Weight value" means the amount of coffee authorized to be transferred by a certificate, coffee stamp, or purchase warrant.

(w) "Wholesale establishment" means an establishment engaged in a business involving the transfer of roasted coffee which makes over 50 per cent of its transfers of all merchandise to other establishments or to persons other than consumers. A person owning one or more wholesale establishments is, with respect to the ownership and operation thereof, a wholesaler.

JURISDICTION

§ 1407.953 Jurisdiction of boards. For the purposes of Ration Order No. 12 each board shall have jurisdiction over each consumer and registering unit registered with it, and over each retailer, wholesaler, and industrial user whose principal business office is located within the area assigned to the board.

RESTRICTION OF TRANSFERS

§ 1407,954 Restriction of transfers. Notwithstanding the terms of any contract, agreement, or commitment, regardless of when made, no person shall on or after November 22, 1942, transfer or acquire coffee except in accordance with Ration Order No. 12.

§ 1407.955 Transfers to consumers between November 22 and 28, 1942, prohibited. From November 22, 1942, to November 28, 1942, inclusive, no person shall transfer coffee to a consumer.

§ 1407.956 Transfer of roasted coffee must be accompanied by surrender of coffee stamps or certificates. Except as otherwise provided in Ration Order No. 12, a transfer of roasted coffee shall be made only upon surrender of appropriate coffee stamps or certificates authorizing such transfer.

§ 1407.957 Transfer of coffee prohibited to individuals less than 15 years old. No person shall transfer coffee against or acquire coffee with a coffee stamp in or from the war ration book of an individual whose age, as entered in said war ration book, is less than 15 years.

§ 1407.958 Restriction on transfer of green coffee. Except as otherwise provided in Ration Order No. 12, no person shall, on or after November 22, 1942, transfer green coffee to any other person unless such other person is a roaster or is and was prior to November 22, 1942, engaged in a business or operation involving dealing in green coffee.

§ 1407.959 Transfer of green coffee to consumers prohibited. Notwithstanding anything contained in Ration Order No. 12, no person shall on or after November 22, 1942, transfer green coffee to a consumer.

§ 1407.960 Restriction on transfers of roasted coffee by roasters. (a) No roaster shall, during January 1943 or during any month thereafter, transfer more roasted coffee roasted by him than 75 per cent of the amount of such roasted coffee transferred by him during the corresponding month of 1941.

(b) In computing, for the purposes of paragraph (a) of this section, the amount of roasted coffee transferred, the weight of substitutes or substances, including but not limited to chicory, cereal, beans, or peas, mixed, compounded, or blended with such roasted coffee by the transferor, shall be deducted from the weight of such roasted coffee.

§ 1407.961 Restriction on transfers or acquisitions in excess of War Production Board suspension orders. No person against whom the War Production Board has issued or issues any suspension or similar order limiting the amount of coffee such person may acquire or transfer shall, on or after November 22, 1942, acquire or transfer any coffee in excess of the amount permitted by such order.

CONSUMERS

§ 1407.970 Individuals not possessing War Ration Books. (a) Any individual who registered as a consumer pursuant to Rationing Order No. 3, who was 15 years old or older at the time of such registration, and who either (1) did not obtain a war ration book by virtue of the provisions of Rationing Order No. 3 or (2) surrendered his war ration book thereafter to the board pursuant to Rationing Order No. 3, may, upon applying therefor to the board on or before December 15, 1942, receive a war ration book containing stamps Nos. 17 to 28, inclusive, together with any other stamps to which such individual may be entitled pursuant to Rationing Order No. 3: Provided, however, That coffee stamps for any ration periods which have expired shall be detached from such war ration book.

(b) Any individual 15 years old or older who has not registered and applied for a war ration book in accordance with Rationing Order No. 3 and who is entitled to register pursuant to § 1407.68 of Rationing Order No. 3 may register pursuant thereto and apply for a war ration book. The board shall issue a war ration book to such an individual containing stamps Nos. 17 to 28, inclusive, together with any other stamps to which he may be entitled pursuant to Rationing Order No. 3: Provided, That coffee stamps for any ration periods which have expired shall be detached from such war ration book

(c) A consumer whose war ration book does not contain stamps other than stamps Nos. 17 to 28, and who under the provisions of Rationing Order No. 3 subsequently becomes entitled to any stamps numbered 16 or less may exchange his war ration book at the board for a new war ration book. Before issuing the new war ration book, the board shall detach all stamps required to be detached by Rationing Order No. 3, the coffee stamps for any ration periods which have expired, and the coffee stamps corresponding to any coffee stamp which had been removed from the surrendered war ration book.

§ 1407.971 Consumers eating regularly at same establishment. (a) A consumer who has arranged or arranges to eat 14 or more meals per week in an establishment registered as an institutional user shall, if he has not already done so pursuant to Rationing Order No. 3, surrender his war ration book to the owner or manager of the establishment at or before the time he eats the first of such meals. The owner or manager of the establishment with which such arrangement is made

shall secure the surrender of the war ration book at such time. The war ration book shall be returned to the consumer when he ceases to eat 14 or more meals per week at the establishment. At the time of the return the owner or manager shall detach and destroy the coffee stamps for the ration periods that expired while such arrangement existed.

(b) Consumption by a consumer of 14 or more meals in any seven successive days at the same institutional establishment shall establish prima facie that such meals were consumed pursuant to arrangement between the consumer and

such establishment.

(c) Notwithstanding the provisions of this section, the war ration book shall be returned to the consumer temporarily for use in purchasing any product other than a food product for which a stamp may have been designated as valid by the Office of Price Administration.

§ 1407.972 Consumers handicapped by transportation difficulties. A consumer t whom a war ration book has been issued and who, because of transportation difficulties, finds it a hardship to acquire roasted coffee at the times specified in § 1407.1091, may apply to the board for a certificate having a weight value not in excess of five pounds. The application shall be made to the board by the consumer personally, by an authorized agent, or by any other person authorized by Rationing Order No. 3 to register for him. The board, in its discretion, may grant the application in whole or in part. Before issuing a certificate in such a case, the board shall detach from the war ration book of the consumer coffee stamps having a weight value equal to the amount for which the certificate is issued.

§ 1407.973 Army, Navy, Marine Corps, and Coast Guard personnel on furlough. A member of the Army, Navy, Marine Corps, or Coast Guard who is on furlough for at least seven days, may apply to a board for a certificate for one pound of coffee. Not more than one such certificate may be issued to the same person in any ration period. When issuing such a certificate, the board shall enter on the leave papers its designation, a statement that it has issued a certificate, and the date of issuance.

§ 1407.974 Issuance of certificates by Army, Navy, Marine Corps, or Coast Guard. Whenever the Army, Navy, Marine Corps or Coast Guard shall require roasted coffee from any person, an officer authorized by the Army, Navy, Marine Corps, or Coast Guard shall issue a certificate in such weight value as may be required.

§ 1407.975 Restriction on use of coffee stamps. (a) A consumer who on November 28, 1942, owns or possesses more than one pound of coffee shall retain in his possession one coffee stamp for each pound of coffee he owns or possesses in excess of one pound. The consumer shall surrender such coffee stamps to the Board when so ordered by the Office of Price Administration.

(b) For the purposes of this section, a consumer shall be considered as owning and possessing his per capita share of the coffee owned or possessed by the family unit of which he is a member or by any member thereof. In determining the per capita share of a consumer who is a member of a family unit, shares shall not be computed for members of such family unit whose ages, as entered in their war ration books, are below 15 years.

RETAILERS AND WHOLESALERS

§ 1407.980 Allowable inventory of coffee. Every retailer and wholesaler is permitted a working inventory of coffee which shall be known as his allowable inventory.

§ 1407.981 Allowable inventory of certain single-establishment, non-roasting retailers. (a) The allowable inventory of a person owning one retail establishment only, not engaged in roasting coffee, which commenced operations on or before September 1, 1942, and which transferred during September 1942 less than 2,000 pounds of roasted coffee, shall be one pound of roasted coffee for each ten dollars, or fraction thereof, of gross sales of all meats, groceries, fruits, vegetables, and similar products made from such establishment during September 1942. The gross sales of a person owning one retail establishment only, not engaged in roasting coffee, which com-menced operations after September 1, 1942, shall be computed by multiplying by 26 its average daily gross sales of meats, groceries, fruits, vegetables, and similar products between September 2 and November 22, 1942, and the allowable inventory of such person shall be one pound of roasted coffee for each ten dollars, or fraction thereof, of gross sales so computed. If such establishment is one of two or more departments located within one building and holding themselves out to the public as a single operation, such gross sales may include the sales made by all such departments regardless of their ownership.

(b) For the purposes of this section, average daily gross sales shall be determined by dividing the total gross sales made from the establishment by the number of days on which said establishment was open for business during the period for which the average daily gross sales are being determined.

§ 1407.982 Allowable inventory of retailers not included in § 1407.981 and wholesalers. (a) The allowable inventory of a person owning a single retail establishment not referred to in § 1407.981 or two or more retail establishments or one or more wholesale establishments, all of which commenced operations on or before September 1, 1942, shall be an amount equal to the sum of (1) the amount of roasted coffee, acquired by such owner as roasted coffee, and transferred during September 1942 by such owner to another person; and (2) three times the amount of roasted coffee roasted by said owner, transferred during September 1942 to another person.

(b) The allowable inventory of a person owning a single retail establishment not referred to in § 1407.981 or two or more retail establishments or one or more wholesale establishments, none of which was in operation on or before September 1, 1942, shall be computed by determining for each such establishment the sum of (1) the average daily quantity of roasted coffee, acquired by the owner of such establishment as roasted coffee, and transferred by such establishment, during the period between September 2 and November 22, 1942, to any person other than the owner of the establishment, and (2) three times the average daily quantity of roasted coffee, roasted by the owner of the establishment, transferred by such establishment, during the period between September 2 and November 22, 1942, to any person other than the owner of the establishment; by adding such sums for all the establishments owned by said person; and by multiplying the figure thus obtained by 26. For the purposes of this section, average daily quantities shall be determined by dividing the amount of roasted coffee transferred by an establishment during the period between September 2 and November 22, 1942, by the number of days on which said establishment was open for business during said period.

(c) A person owning two or more retail establishments or two or more wholesale establishments, some, but not all, of which commenced operations on or before September 1, 1942, shall compute his allowable inventory by treating, for the purpose of this Section only, those establishments which commenced operation on or before September 1, 1942, as if they were owned by one person and all other establishments as if they were owned by another person and by adding the two results thus obtained.

(d) A person owning retail and whole-sale establishments shall compute his allowable inventory by treating, for the purposes of paragraphs (a), (b), and (c) of this section, all his retail establishments as if they were owned by one person and all his wholesale establishments as if they were owned by another person and by adding the two results thus obtained

§ 1407.983 Compounded coffee in allowable inventory computation. In computing, for the purposes of §§ 1407.981 and 1407.982, the amount of roasted coffee transferred, the weight of any substitutes or substances, including but not limited to chicory, cereal, peas, or beans, compounded, mixed, or blended with such coffee by the transferor shall be deducted from the weight of such roacted coffee.

§ 1407.984 Initial inventory. (a) The initial inventory of a retailer or whole-saler shall include all green and roasted coffee located within the continental United States (the 48 States of the United States and the District of Columbia) to which, at midnight, November 21, 1942, he has title or holds documents of title. He shall be deemed to have

title to coffee: (1) in transit or stored for delivery to him and out of the possession of the vendor prior to November 22, 1942; (2) held by him on consignment or on any similar basis; (3) mortgaged, pledged, or otherwise used by him as security in a credit transaction; or (4) in the possession of his vendor if such coffee has been paid for and physically segregated and earmarked by the vendor for delivery to him.

(b) Ir computing his initial inventory, the retailer or wholesaler shall deduct from the weight of the coffee included in such inventory the weight of any substitutes or substances, including but not limited to chicory, cereal, peas, or beans, blended, compounded, or mixed by said retailer or wholesaler with said coffee,

§ 1407.985 Excess inventory. The amount of coffee by which the initial inventory of a retailer or wholesaler exceeds the allowable inventory, shall be known as the "excess inventory". A retailer or wholesaler who has an excess inventory of coffee shall, before he may acquire any coffee upon the surrender of coffee stamps or certificates, surrender to the board for cancellation coffee stamps or certificates in weight value equal to the amount of his excess inventory: Provided, however, That such retailer or wholesaler may, before surrendering such coffee stamps or certificates to the board for cancellation, acquire roasted coffee through the issuance of purchase warrants pursuant to §§ 1407.986 to 1407.988, inclusive. In no event shall a retailer or wholesaler acquire any coffee after January 31, 1943, unless he has surrendered to the board for cancellation coffee stamps or certificates in weight value equal to the amount of his excess inventory.

§ 1407.986 Issuance of purchase warrants. Between November 22, 1942, and December 5, 1942, inclusive, a retailer or wholesaler may, in order to acquire roasted coffee, issue purchase warrants in an aggregate weight value not in excess of any amount by which his allowable inventory exceeds his initial inventory of coffee.

§ 1407.987 Form of purchase warrants. Purchase warrants shall be in the following form:

	Corporation or firm name	
Date:	Address, 1942.	1000

§ 1407.988 Transfers upon purchase warrants. (a) Any retailer or wholesaler who, on or before December 12, 1942, receives a purchase warrant from any person authorized to issue such purchase warrant is authorized to transfer roasted coffee to such person in an

amount equal to the weight value of the

purchase warrant.

(b) A person receiving purchase warrants and transferring roasted coffee pursuant thereto may himself on or before December 12, 1942, in addition to purchase warrants issued by him pursuant to § 1407.986, issue purchase warrants having a weight value equal to the amount of roasted coffee transferred by him pursuant to purchase warrants received by him, for the purpose of obtaining from his suppliers roasted coffee to replace the roasted coffee thus transferred by him.

(c) After December 26, 1942, no person shall transfer roasted coffee on the au-

thority of a purchase warrant.

(d) Every person receiving purchase warrants shall maintain a file thereof at his principal business office for delivery to the Office of Price Administration upon demand therefor. Such file shall be maintained in alphabetical order according to the names of the persons from whom the purchase warrants were received

§ 1407.989 Replenishment of allowable inventory. Except as otherwise provided in Ration Order No. 12, on and after November 22, 1942, the allowable inventory of a retailer or wholesaler may be replenished with roasted coffee only upon the surrender by such person of coffee stamps or certificates.

§ 1407.990 Compounders of coffee; reports. (a) On and after November 22, 1942, no person, other than a consumer or an institutional user, shall blend, compound, or mix coffee with substitutes or substances, including but not limited to chicory, cereal, peas, or beans, unless he shall first notify the Office of Price Administration, Washington, D. C., of his intention to engage in such practice.

(b) Every compounder shall maintain records showing the amounts of substitutes or substances, including but not limited to chicory, cereal, peas, or beans, blended, compounded, or mixed by him with coffee transferred by him during each month and, beginning in January 1943, shall, between the first and fifth days of each month, surrender to the Office of Price Administration, Washington, D. C., coffee stamps or certificates in weight value equal to the weight of the substitutes or other substances blended, compounded, or mixed by him with the coffee transferred by him during the preceding month. Such person shall, at the same time, send to the Office of Price Administration, Washington, D. C., a report stating (1) the amount of substitutes and substances, including but not limited to chicory, cereal, peas, or beans, blended, compounded, or mixed by him with coffee transferred during the pre-ceding month and (2) the total weight of such coffee (including the weight of the substitutes and substances referred to in (1)) transferred during the preceding month. The report made in Jan-uary 1943 shall include the required information for the period from November 22 to December 31, 1942.

§ 1407.991 Transfer of coffee to certain exempt persons. (a) Any person who requires roasted coffee for the purpose of transfer to any person specified in paragraph (c) (1) or (c) (2) of this section pursuant to a written contract with such person may apply in writing to the board for certificates authorizing the acquisition of the quantity of roasted coffee so required. Such application shall include or be accompanied by a statement of the date of contract, the number or other designation of the contract, and the quantity of roasted coffee required in order to perform the contract. Such roasted coffee shall be used only for the purpose of performing the con-

(b) Any retailer or wholesaler who on or after November 22, 1942, transfers roasted coffee to any of the persons and for the purposes specified in paragraph (c) of this section, without receiving coffee stamps or certificates therefor, may, if he has not obtained a certificate with respect thereto pursuant to paragraph (a) of this section, apply in writing to the board for certificates authorizing the acquisition of an equivalent amount of roasted coffee.

(e) The persons and purposes included within the provisions of this section are the following:

(1) Any agency of the United States or foreign government for export to any foreign country

(2) The United States Maritime Commission and the War Shipping Administration.

(3) Any person for transfer to any territory or possession of the United States other than the District of Colum-

(4) Any person operating an oceangoing vessel engaged in the transportation of cargo or passengers in foreign. coastwise, or intercoastal trade, as ships' stores for consumption aboard such ves-

(d) Application for a certificate pursuant to paragraph (b) of this section shall include or be accompanied by:

(1) In the case of a transfer to a person specified in paragraph (c) (1) or (c) (2) of this section, a certification signed by such person or his authorized agent or employee setting forth the name and address of the person, the name and address of the transferor, the date of transfer, and the quantity of roasted coffee transferred.

(2) In the case of a transfer to a person specified in paragraph (c) (3) of this section, a copy of the bill of lading under which the roasted coffee was shipped or a shipper's export declaration bearing a notation of an authorized customs official to the effect that to the best of his knowledge and belief the amount of roasted coffee therein stated has been exported by such person.

(3) In the case of a transfer to a person specified in paragraph (c) (4) of this section, a statement signed by the Collector of Customs or his deputy, certifying that such roasted coffee was delivered as ships' stores.

(e) The certifications and statements which are referred to in paragraph (d) of this section may be in any convenient form and do not require verification or acknowledgment.

INSTITUTIONAL USERS

§ 1407.995 Registration. (a) person owning one or more institutional establishments shall on November 23, 24, or 25, 1942, or on such other date or dates as the Office of Price Administration may designate, register all such institutional establishments at the board as one or more registering units. Each such registering unit shall consist of the institutional establishment or establishments selected by the owner thereof to be treated as such single unit: Provided. however, That institutional establishments registered on November 22, 1942, pursuant to Rationing Order No. 3 shall be registered in identical registering units under Ration Order No. 12.

(b) The registration of institutional establishments registered under Rationing Order No. 3 shall be made on the reverse side of the O. P. A. Form R-310 filed for such institutional establishments in connection with their registration under Rationing Order No. 3. registration of institutional establishments not registered under Rationing Order No. 3 shall be made on O. P. A. Form R-310, but only items numbered one to six, inclusive, on the front of such form shall be completed.

(c) If the registering unit is composed of more than one institutional establishment there shall be attached to the registration form a list of the institutional establishments included, with the address of each, unless such registering unit is identical with the registering unit registered under Rationing Order No. 3; Provided, however, That a registering unit composed of institutional establishments located on mobile conveyances, including vessels and airplanes, need not list such mobile conveyances.

(d) The registering unit shall state the following information on the registration form or, at the option of the registering unit, on a separate sheet of paper to be attached thereto and containing the name and address of the owner of the registering unit and the designation and address of the principal business office of the registering unit: (1) the amount of its initial inventory of coftee; (2) the amount of roasted coffee used by it in the preparation of beverages during the period from September 1, 1942, to October 31, 1942, inclusive; (3) in the case of a registering unit whose coffee base is determined pursuant to §§ 1407.998 (b) or 1407.998 (c), the computation of such base; (4) the names and addresses of the persons from whom coffee was acquired between September 1 and October 31, 1942, inclusive, and the amount of each such acquisition; and (5) if the registering unit roasts green coffee used by it in the preparation of beverages, the amount of such roasted coffee used by it during the month of October 1942.

(e) In computing the amount of roasted coffee used by a registering unit in the preparation of beverages, the weight of any substitutes or substances, including but not limited to chicory, cereal, peas, or beans, mixed, compounded, or blended by the registering unit with roasted coffee so used, shall be deducted from the weight of such roasted coffee.

(f) The person registering in behalf of the registering unit shall execute the following certificate on the registration form or on the separate sheet of paper filed pursuant to paragraph (d) of this section:

I hereby certify and represent to the Office of Price Administration that the statements made above, with respect to coffee, are true.

§ 1407.996 Initial inventory. (a) The initial inventory of a registering unit, to be reported pursuant to § 1407.995 (d), shall include all coffee located within the continental United States (the 48 States of the United States and the Disrict of Columbia) at midnight, November 21, 1942, in the possession of the registering unit and to which the owner of the registering unit has title. Such owner shall be deemed to have title to coffee: (1) in transit or stored for delivery to him and out of the possession of the vendor prior to November 22, 1942; (2) mortgaged, pledged, or otherwise used by him as security in a credit transaction; or (3) in the possession of his vendor if such coffee has been paid for and physically segregated and earmarked by his vendor for delivery to him.

(b) Every person who owns one or more registering units and who holds documents of title, or, pursuant to paragraph (a) of this section, is deemed to have title to any coffee not in the possession of any such registering unit, shall include such coffee in the initial inventories of such registering units, allocating such coffee among the registering units

as he elects.

(c) In computing the initial inventory of a registering unit there shall be deducted from the weight of the coffee included in such inventory the weight of any substitutes or substances, including but not limited to chicory, cereal, peas, or beans, compounded, blended, or mixed by such registering unit with said coffee.

§ 1407.997 Allowable inventory of cofjee for institutional roasters. (a) A registering unit which roasts green coffee used by it in the preparation of beverages is permitted a working inventory of coffee which shall be known as its allowable inventory.

(b) The allowable inventory of such a registering unit shall be equal to three times the amount of roasted coffee, roasted by the registering unit and used by it in the preparation of beverages in September 1942. In computing the allowable inventory there shall be deducted from the weight of the coffee included in such inventory the weight of any substitutes or substances, including but not limited to chicory, cereal, peas, or beans, compounded, blended, or mixed by such registering unit with said coffee.

§ 1407.998 Roasted coffee base. (a) The roasted coffee base for a registering unit of which all the component establishments were in operation during the entire period from September 1, 1942, to October 31, 1942, inclusive, shall be the

amount of roasted coffee used by the registering unit in the preparation of beverages during the period from September 1, 1942, to October 31, 1942, inclusive.

(b) The roasted coffee base for a registering unit composed of establishments none of which was in operation during the entire period from September 1, 1942, to October 31, 1942, inclusive, but all of which were in operation for part of such period or during all or part of the period from November 1, 1942, to November 21, 1942, inclusive, shall be computed by (1) determining for each such establishment the average daily amount of roasted coffee used by the establishment in the preparation of beverages during the period in which such establishment was in operation; (2) multiplying the average daily usage for each such establishment by the number of days said establishment would have been open for business during September and October 1942 if it had been in business during the entire period; and (3) adding such amounts for all the establishments in the registering unit. For the purposes of this section, average daily usage shall be determined by dividing the amount of roasted coffee used by an establishment in the preparation of beverages during the period in which such establishment was in operation by the number of days that said establishment was open for business during said period.

(c) A registering unit composed of establishments some, but not all, of which were in operation during the entire period from September 1, 1942, to October 31, 1942, inclusive, shall compute its roasted coffee base, for those establishments which were in operation during the entire period from September 1, 1942, to October 31, 1942, inclusive, in accordance with paragraph (a) of this section, and, for those establishments which were not so in operation, in accordance with paragraph (b) of this section and shall add the two results thus obtained.

(d) In computing, for the purposes of this section, the amount of roasted coffee used by the registering unit in the preparation of beverages, the weight of any substitutes or substances, including but not limited to chicory, cereal, peas, or beans, mixed, blended, or compounded by the registering unit with such roasted coffee so used by the registering unit, shall be deducted from the weight of such coffee.

(e) There shall not be included in the computation of the roasted coffee base of any registering unit any coffee used for service by it of beverages to Army, Navy, Marine Corps, or Coast Guard personnel messed separately under an officer's command.

§ 1407.999 Allotments. (a) A registering unit which has established a roasted coffee base shall receive, as provided in Ration Order No. 12, an amount of roasted coffee which is known as an allotment.

(b) The amount of the allotment for each period shall be the applicable percentage, specified in § 1407.1092, of the

roasted coffee base of the registering unit.

§ 1407.1000 Allotment certificates-(a) Application. Application for allotment certificates shall be made by a registering unit for each period, as provided in this section. The first period for which allotment certificates may be granted shall be the period from the date of registration to January 31, 1943, inclusive, and application therefor shall be made at the time of registration. All subsequent applications for allotment certificates shall be for consecutive two-month periods, the first of which shall commence on February 1, 1943. Applications shall be made not later than the fifth day of the first month of the period for which the application is being made and not earlier than the 15th day of the month preceding the period. The board, in its discretion, may permit an application to be made at any time after the time specified herein but in such case the board shall reduce the allotment by an amount which bears the same proportion to the allotment as the number of days which have elapsed bears to the total number of days in the period.

(b) Registering unit whose initial inventory is greater than its allotment—
(1) Non-roasters. A registering unit which does not roast green coffee used by it in the preparation of beverages, and whose initial inventory is greater than its first allotment shall not apply for an allotment certificate for any period until such initial inventory has been reduced, by the crediting of prior allotments, below the amount of its allot-

ment for such period.

(2) Roasters. A registering unit which roasts green coffee used by it in the preparation of beverages, whose initial inventory is greater than its allowable inventory plus its first allotment shall not apply for an allotment certificate for any period until such initial inventory has been reduced, by the crediting of prior allotments, below the amount of its allowable inventory plus its allotment for such period.

§ 1407.1001 Amount for which allotment certificate is to be issued. (a) Upon proper written application therefor a certificate shall be issued to a registering unit in a weight value equivalent to its allotment except as provided in paragraph (b) or (c) of this section and subject to any adjustments required by Ration Order No. 12.

(b) The amount of the allotment certificate issued for the first period to a registering unit which does not roast green coffee shall be the allotment for such period minus the initial inventory of roasted coffee of the registering unit: Provided, however, That the first certificate issued to a registering unit whose initial inventory was greater than the amount of its allotment shall be of a weight value equal to the difference between the initial inventory of such registering unit and the aggregate of its allotments including the allotment for the period for which the certificate is issued.

(c) The amount of the allotment certificate issued for the first period to a

registering unit which roasts green coffee used by it in the preparation of beverages shall be the allotment for such period minus the amount, if any, by which its initial inventory exceeds its allowable inventory: Provided, however, That the first certificate issued to a registering unit whose initial inventory was greater than the amount of its allowable inventory plus its allotment shall be of a weight value equal to the difference between its initial inventory and the amount of its allowable inventory plus the aggregate of its allotments including the allotment for the period for which the certificate is issued.

§ 1407.1002 Adjustments. (a) In the computation of allotments and the issuance of certificates, corrections shall be made for any previous errors or mistakes in allotments or in the issuance of certificates.

(b) Any registering unit which acquires roasted coffee on or after November 22, 1942, without the surrender of certificates, shall have the amount thereof charged against the amounts for which subsequent certificates may be issued.

§ 1407.1003 Restriction on use. (a) No registering unit shall, in any allotment period, use more coffee for any purpose for which allotment certificates may be obtained than the amount of its allotment for said period plus the unused portion of any of its prior allotments; Provided, however, That a registering unit may use any part of an allotment at any time after a certificate for such allotment has been issued to it.

(b) No registering unit shall use roasted coffee for any purpose other than the preparation by it of a beverage.

§ 1407.1004 Establishments which were not in operation between September 1 and November 21, 1942. (a) An institutional establishment which commences operations on or after November 22, 1942, shall be registered on O.P.A. Form R-310 as a registering unit or as a part of a new or existing registering unit. The registration of such institutional establishment registered under Rationing Order No. 3 shall be made on the reverse side of the O.P.A. Form R-310 filed for such institutional establishment in connection with its registration under Rationing Order No. 3. The registration of such institutional establishments not registered under Rationing Order No. 3 shall be made on O.P.A. Form R-310 with the board designated to serve the area in which the principal business office of the owner is located, but only items numbered one to six, inclusive, on the front of such form shall be completed.

(b) Each of the first two allotments of roasted coffee to be granted for such an institutional establishment shall be equal to one pound of roasted coffee for every 60 meals to be served by the institutional establishment during the allotment period for which application is made, as estimated by the registering unit and approved by the board. The amount of each subsequent allotment shall be equal to one pound of roasted

coffee for every 60 meals served by the institutional establishment in the preceding allotment period. In all other respects the institutional establishment shall be treated as if it had been in operation between September 1 and November 21, 1942.

§ 1407.1005 Definition of "meal." For the purposes of Ration Order No. 12, a "cup of coffee" shall not constitute a meal unless the service thereof is accompanied by the service of at least one other item of food exclusive of milk, cream, and sugar.

§ 1407.1006 Late registration. A registering unit in operation on November 21, 1942, which is not registered on November 23, 24, or 25, 1942, may thereafter be registered at the office of the board. The initial inventory of the registering unit shall, in such circumstances, be computed as of midnight November 21, 1942, and the registering unit shall not be issued any certificates for any allotment periods or partial periods that may have elapsed.

§ 1407.1007 Obtaining roasted coffee for feeding troops pursuant to written contract with the Army, Navy, Marine Corps, or Coast Guard. Whenever an institutional user shall, pursuant to a written contract made with the Army, Navy, Marine Corps, or Coast Guard, require roasted coffee for use in the preparation of beverages to be served by it to Army, Navy, Marine Corps, or Coast Guard personnel to be messed separately under an officer's command, an officer authorized by the Army, Navy, Marine Corps, or Coast Guard may issue a certificate in such weight value as may be required for such purpose. The institutional user may acquire roasted coffee therewith; Provided, however, That roasted coffee acquired with such certificate shall remain under the control of the officer commanding such personnel and shall not be used for any purpose other than service to such personnel.

§ 1407.1008 Obtaining roasted coffee for troop movements. (a) Whenever an institutional user shall require roasted coffee for use in the preparation of beverages to be served by it to Army, Navy, Marine Corps, or Coast Guard personnel involved in troop movements and which are to be messed separately under an officer's command, such institutional user may apply in writing to the board for a certificate in the amount required, stating on such application the address of the institutional establishment or addresses of the institutional establishments or of the commissaries or immobile service points at which such roasted coffee is needed, and that the roasted coffee applied for will be used only for such purpose. The board, upon satisfactory proof that such roasted coffee will be needed, shall grant the application. The applicant shall, within 15 days after the service of coffee to such troops, file with the board proof of the service and the amount thereof. He shall surrender to the board certificates in weight value equal to the amount, if any, by which the certificate issued to him by the board exceeds in weight value the roasted coffee

so used or such difference shall be charged against the amount of his next allotment or allotments or against any subsequent certificate issued pursuant to this section.

(b) An institutional user who on or after November 22, 1942, uses roasted coffee in the preparation of beverages served by it to Army, Navy, Marine Corps, or Coast Guard personnel involved in troop movements, which were messed separately under an officer's command, may apply to the board for a certificate in a weight value equal to the weight of the roasted coffee so used, if no certificate therefor has been issued pursuant to paragraph (a) of this section. The application shall state the address of the institutional establishment or addresses of the institutional establishments or of the commissaries or immobile service points at which such troops were served and the quantity of roasted coffee used at each of such establishments, commissaries, or immobile service points, and shall be accompanied by a statement signed by the officer in charge of the troops setting forth the number of meals served to the troops, the dates upon which this service was rendered, and the quartermaster's requisition for the meals served. Upon the presentation of the evidence required by this paragraph, the board shall grant such application.

(c) In issuing a certificate pursuant to paragraph (a) or (b) of this section, the weight of any substitute or substance, including but not limited to chicory, cereal, peas, or beans, to be mixed, blended, or compounded with the roasted coffee to be served, or mixed, blended, or compounded by the applicant with the roasted coffee served, shall not be included by the board in the amount of

such certificate.

INDUSTRIAL USERS

§ 1407.1015 Restriction on use of cofjee. No industrial user shall roast any green coffee in connection with or for use in connection with the production, manufacture, or processing of any products, other than of products to be transferred to the Army, Navy, Marine Corps, or Coast Guard or to any persons speci-fied in § 1407.491, without petitioning the Office of Price Administration, Washington, D. C., for permission to do so and obtaining such permission. The petition shall state the name and address of the petitioner; the purposes for which he intends to use the coffee he seeks permission to roast; the amount of roasted coffee so used by him in each month of 1941, and, if he was not in business during the entire year of 1941, the amount of roasted coffee so used by him in each month of 1942; the amount of green coffee the petitioner seeks permission to roast; his inventory of coffee on the date of his application; and any other facts deemed pertinent by such industrial user. The Office of Price Administration may, before acting on any such petition, require the petitioner to furnish any additional information it deems pertinent.

§ 1407.1016 Inventory. (a) In reporting his inventory, the industrial user shall include all coffee located within the

continental United States (the 48 States of the United States and the District of Columbia) to which said industrial user has title or holds documents of title. Said industrial user shall be deemed to have title to coffee: (1) in transit or stored for delivery to him and out of the possession of the vendor; (2) mortgaged, pledged, or otherwise used by the industrial user as security in a credit transaction; and (3) in the possession of the vendor of the industrial user if such coffee has been paid for and physically segregated and earmarked by the vendor for delivery to said industrial user.

§ 1407.1017 Industrial users - nonroasters. An industrial user of coffee who does not roast green coffee used by him in the production, manufacture, or processing of products may petition the Office of Price Administration, Washington, D. C., for allotments of roasted cof-The petition shall state the name and address of the petitioner: the purposes for which roasted coffee is used or is desired to be used by him; the amount of roasted coffee so used by him in each month of 1941 and, if he was not in business during the entire year of 1941, the amount of roasted coffee so used by him in each month of 1942; the amount of allotments being sought; and any other facts deemed pertinent by such industrial user. The Office of Price Administration may, before acting on any such petition, require the petitioner to furnish any additional information it deems pertinent.

§ 1407.1018 Restriction on transfer of soluble and liquid extract coffee. No industrial user shall transfer any soluble or liquid extract coffee to any person, other than the Army, Navy, Marine Corps, or Coast Cuard, or any person specified in § 1407.991, without petitioning the Office of Price Administration. Washington, D. C., for permission to do so and obtaining such permission. petition shall state the name and address of the petitioner; the amount of soluble or liquid extract coffee he seeks to transfer; the person to whom he seeks to transfer such soluble or liquid extract coffee; the amount of soluble or liquid extract coffee so transferred by him in each month of 1941, and, if he was not in business during the entire year of 1941, the amount of soluble or liquid extract coffee so transferred by him in each month of 1942; his inventory of soluble and liquid extract coffee on the date of his application; and any other facts deemed pertinent by such industrial user. The Office of Price Administration may, before acting on any such petition, require the petitioner to furnish any additional information it deems pertinent.

CERTIFICATES AND COFFEE STAMPS

§ 1407.1020 Nature and validity of certificates and coffee stamps. (a) A certificate may be transferred by the person to whom it is issued only for the purpose of authorizing such person to acquire the amount of roasted coffee authorized by the certificate. A coffee stamp may be transferred by a consumer to a retailer or wholesaler only for the purpose of authorizing the consumer to

whom the coffee stamp was issued to acquire one pound of roasted coffee. A coffee stamp is valid in the hands of a consumer only if attached to a properly issued war ration book.

(b) Each coffee stamp authorizes the transfer of one pound of roasted coffee to a consumer only during the ration period assigned to that coffee stamp in § 1407.1091. A coffee stamp received from a consumer by a retailer or wholesaler in accordance with Ration Order No. 12 and against which such retailer or wholesaler has transferred roasted coffee authorizes such retailer or wholesaler to acquire roasted coffee therewith from another retailer or wholesaler or to receive from the board a certificate having an equal weight value: Provided, That such coffee stamp is surrendered to such other retailer or wholesaler or to the board within ten days of the close of the ration period assigned to such

(c) Coffee stamps in or from the war ration book of an individual whose age, as entered in said war ration book, is less than 15 years, are invalid for the acquisition of coffee. Such coffee stamps shall not be detached from the war ration book.

(d) A certificate authorizes the person to whom it is issued to acquire roasted coffee therewith within 60 days of the date of issuance of the certificate. A certificate received by a person by surrender and endorsement from another person pursuant to Ration Order No. 12, authorizes the transfer of roasted coffee to such other person within 60 days of the date of issuance of the certificate or within 30 days of the date set forth in the endorsement on such certificate to such person, whichever is later.

(e) A person receiving coffee stamps or certificates from a retailer or wholesaler or from a registering unit may, if requested by the person surrendering the coffee stamps or certificates, transfer to such person a quantity of roasted coffee equal to the weight value of the coffee stamps and certificates so received, plus an additional quantity of roasted coffee equal to either: (1) an amount, not in excess of ten per cent of the weight value of the coffee stamps or certificates so received, required to make a total quantity equal to a carload or (2) an amount. not in excess of 23 pounds, required to permit a transfer in shipping packages customarily used by the transferor. The person acquiring roasted coffee in a quantity greater than the weight value of the coffee stamps and certificates surrendered by him shall be charged with such excess and shall surrender to the transferor coffee stamps or certificates in weight value equal to such excess within 15 days after such acquisition.

§ 1407.1021 Surrender of certificates and coffee stamps. (a) Certificates or coffee stamps must be surrendered by the person acquiring roasted coffee to the person transferring roasted coffee at or before the time of such transfer. Before a certificate is surrendered, the proper endorsement thereon shall be completed by the holder of the certificate.

(b) A coffee stamp shall not be detached from a war ration book except by the consumer or the person acting on his behalf in the presence of the person making delivery of the roasted coffee.

§ 1407.1022 Mail orders and similar transactions. When a consumer wishes to acquire roasted coffee by mail-order or similar transaction, he shall forward his war ration book or certificate to the seller with his order. Before transferring the roasted coffee to the consumer, the seller shall, where the consumer has forwarded his war ration book to the seller, detach therefrom the appropriate coffee stamp. Such seller shall return the consumer's war ration book to him promptly.

§ 1407.1023 War ration stamp cards. (a) A person to whom coffee stamps are surrendered by a consumer shall affix the coffee stamps on a war ration stamp card (O.P.A Form R-304) or upon a facsimile thereof. Only coffee stamps bearing the same number may be affixed to a card. Not all the spaces on a card need be filled. The card may be surrendered by a retailer or wholesaler, subject to paragraphs (b) and (c) of this section, to another retailer or wholesaler for the purpose of acquiring an amount of roasted coffee equivalent to the aggregate weight value of the coffee stamps affixed thereto.

(b) When a retailer or wholesaler surrenders a card for the purpose of authorizing a transfer of roasted coffee to him he shall write across the face of the card his name and address, the date of such surrender, and the name and address of the person to whom the card is being surrendered. A retailer or wholesaler who receives cards shall surrender such cards to the board within ten days of their receipt. Such retailer or wholesaler may, at the same time, surrender any certificates received by him. At the time of such surrender the retailer or wholesaler shall complete and submit with the surrendered cards and certificates, if any, O.P.A. Form R-309. The board receiving such cards and certificates together with such form shall thereupon issue to such retailer or wholesaler a certificate or certificates in weight value equal to the surrendered coffee stamps and certificates.

(c) Coffee stamps affixed to a card except as set forth in paragraph (b) of this section, have no greater period of validity than coffee stamps not so affixed and, in any event, shall have no greater value.

(d) A retailer or wholesaler may, if he desires, surrender, pursuant and subject to the provisions of paragraph (b) of this section, stamps or certificates received by any establishment owned by him to the board having jurisdiction over the area within which such establishment is located

§ 1407.1024 Sale, gift, loan, or judicial seizure of coffee stamps or certificates prohibited. The transfer, sale, gift, loan, or assignment of a coffee stamp or certificate is prohibited and no coffee stamp or certificate or any interest therein may be so acquired or seized by distraint. execution, levy, attachment, or other judicial process or acquired through devise. bequest, or inheritance except that such

transfer, sale, gift, loan, assignment, seizure, and acquisition is permitted when coffee stamps or certificates are transferred as part of the assets of an establishment transferred as provided in § 1407.1054, and when otherwise expressly permitted in Ration Order No. 12: Provided, however, That a person to whom a war ration book or certificate has been issued may institute and prosecute any proceeding for the purpose of recovering possession of said war ration book or certificate from any person wrongfully in possession thereof.

§ 1407.1025 Destroyed, mutilated, or stolen coffee stamps or certificates. A certificate that is torn or mutilated is valid only if more than one-half thereof remains legible and only if such remaining portion clearly evidences the date of the certificate, its weight value, and the name of the person to whom the certificate was issued. A coffee stamp that has been torn or mutilated is valid for use by a consumer only if more than one-half of such coffee stamp remains undetached in the war ration book.

(b) If a certificate or coffee stamp, held by a retailer or wholesaler or by an institutional or industrial user is lost, destroyed, or stolen, or becomes invalid because of mutilation, the person entitled to such certificate or coffee stamp may apply to the board for a new certificate in weight value equal to that of the lost, stolen, destroyed, or mutilated certificate or coffee stamp. Upon the presentation of satisfactory proof, the board shall

grant the application.

§ 1407.1026 Exchange of certificates. Any person may surrender to the board a valid certificate or valid certificates which he is entitled to use to acquire roasted coffee and obtain a certificate or certificates in different denominations in exchange therefor. The board shall issue a certificate or certificates to such person, dated as of the date of their issuance, in such reasonable denominations as he may require, but in no event shall the aggregate weight value of the newly-issued certificate or certificates exceed the weight value of the surrendered certificate or certificates.

§ 1407.1027 Transfers not to be made upon invalid coffee stamps, certificates, or purchase warrants. (a) No person shall transfer roasted coffee if the coffee stamp, certificate, or purchase warrant tendered therefor is mutilated or illegible.

(b) No person shall transfer roasted coffee if he knows or has reason to believe that the certificate or purchase warrant tendered therefor was not acquired or issued in accordance with Ration Order No. 12 or that the coffee stamp tendered therefor was not acquired or issued in accordance with Rationing Order No. 3 or Ration Order No. 12. In the event of a refusal to transfer roasted coffee against a coffee stamp, certificate, or purchase warrant the person refusing to make the transfer shall promptly notify the issuing board of such refusal and his reasons therefor.

§ 1407.1028 Notification to the Office of Price Administration of legal proceedings. Every person holding a certificate, coffee stamp, or purchase warrant shall notify the District Office of the Office of Price Administration immediately upon the commencement of any legal action or proceeding involving such certificate, coffee stamp, or purchase warrant.

§ 1407.1029 Authorization of transfer against coffee stamps, certificates, or purchase warrants is authorization of acquisition, and vice versa. Where in Ration Order No. 12 the transfer of roasted coffee is authorized on the surrender of coffee stamps, certificates, or purchase warrants the acquisition of such roasted coffee, as part of the same transaction, on the surrender of coffee stamps, certificates, or purchase war-rants shall also be deemed to be authorized, and vice versa.

§ 1407.1030 Prohibition of transfer except against coffee stamps, certificates, or purchase warrants is prohibition of acquisition, and vice versa. Where in Ration Order No. 12 the transfer of roasted coffee is prohibited except on the surrender of coffee stamps, certificates, or purchase warrants the acquisition of such roasted coffee, as part of the same transaction, except on the surrender of coffee stamps, certificates, or purchase warrants shall also be deemed to be prohibited, and vice versa.

§ 1407.1031 Prohibited acts with respect to coffee stamps and certificates. (a) No person shall use or have in his possession any coffee stamp, certificate, or purchase warrant, whether issued as a ration or not, except the person, or the agent of the person, to whom such coffee stamp, certificate, or purchase warrant was issued or by whom it was acquired in accordance with the provisions of Ration Order No. 12.

(b) No person shall counterfeit or forge a coffee stamp, war ration book,

purchase warrant, or certificate.

(c) No person shall transfer, acquire, possess, or use any forged, altered, or counterfeited coffee stamp, war ration book, purchase warrant, or certificate.

(d) No person shall transfer, surrender or assign and no person shall acquire, or receive an assignment of, any coffee stamp, war ration book, purchase warrant, or certificate, except in accordance with the provisions of Ration Order No. 12 or any other ration order of the Office of Price Administration.

TRANSFER AND ACQUISITION OF GREEN COFFEE

§ 1407.1040 Initial inventory. (a) Every person, other than the Army, Navy, Marine Corps, and Coast Guard and Commodity Credit Corporation, who transfers or acquires green coffee shall take an inventory of his green coffee as of 12 o'clock midnight, November 21, 1942: Provided, however, That this section shall not apply to persons who roast green coffee.

(b) Such inventory shall include all green coffee located within the con-tinental United States (the 48 States of the United States and the District of Columbia) to which such person has title or holds documents of title. He shall be deemed to have title to green coffee: (1) in transit or stored for delivery to him and out of the possession of the vendor prior to November 22, 1942: (2) held by him on consignment or on any similar basis; (3) mortgaged, pledged, or otherwise used by him as security in a credit transaction; or (4) in the possession of his vendor if such green coffee has been paid for and physically segregated or earmarked by the vendor for delivery to him.

(c) Such person shall include a statement of said inventory of green coffee in the first report filed by him pursuant

to § 1407.1071.

§ 1407.1041 Transfer and acquisition of green coffee. (a) No person shall acquire, except by import or pursuant to §§ 1407.1053, 1407.1054, 1407.1056, 1407.1058, or 1407.1060, green coffee if as the result of such acquisition his existing inventory would exceed his allowable inventory of coffee. If green coffee is acquired by any person by import or pursuant to \$\\$ 1407.1053, 1407.1054, 1407.1056, 1407.1058, or 1407.1060, in an amount which, together with the coffee in his existing inventory, exceeds his allowable inventory of coffee, such person if he is unable to make an immediate sale of coffee in an amount equivalent to such excess shall, within 72 hours after acquiring such green coffee, offer, through established coffee dealers and brokers, an equivalent amount of coffee for sale in conformity with Ration Order No. 12. If, prior to the acceptance of such offer, such person becomes entitled, as a result of reduction of his existing inventory, to acquire green coffee, coffee in an amount equivalent to the amount which he is so entitled to acquire may be withdrawn from the amount of coffee offered for sale pursuant to this section.

(b) Any person making an offer for sale in accordance with paragraph (a) of this section shall, at the same time, for-ward a report to the Office of Price Administration, Washington, D. C., stating (1) the amount so offered for sale; (2) whether the coffee offered for sale is from his existing inventory; (3) a description of the coffee offered for sale; (4) the location of the coffee offered for sale; and (5) the names of the brokers or dealers through whom the offer is being made. In the event of sale of any such coffee, such person shall forward a report of such sale, within 24 hours thereafter to the Office of Price Administration, Washington, D. C., stating the name of the purchaser and the date of sale.

§ 1407.1042 Retention of coffee stamps and certificates by roasters. (a) Every retailer or wholesaler who roasts green coffee shall retain in his possession, until further order by the Office of Price Administration, coffee stamps, certificates. or purchase warrants equal in weight value to 84 per cent of the weight of the green coffee roasted by him and transferred by him subsequent to November 21, 1942. Stamps or certificates surrendered to the board pursuant to § 1407.985 shall be considered, for the purposes of this section, as being retained by such

(b) An institutional registering unit which roasts green coffee used by it in the preparation of beverages shall retain in its possession, until further notice by the Office of Price Administration, certificates in weight value equal to 84 per cent of the weight of the green coffee roasted by it subsequent to November 21, 1942: Provided, however, That such a registering unit whose initial inventory was greater than the amount of its allowable inventory need not retain certificates for such excess.

TRANSFERS PERMITTED WITHOUT THE SUR-RENDER OF COFFEE STAMPS, CERTIFICATES, OR PURCHASE WARRANTS AND IRRESPECTIVE OF RESTRICTIONS ON THE ACQUISITION OF GREEN COFFEE

§ 1407.1045 Transfer of green coffee. When the transfer of green coffee is permitted by Ration Order No. 12, such transfer may be made without the surrender of coffee stamps, certificates, or purchase warrants.

§ 1407.1046 Loans and gifts of roasted coffee. (a) Loans of roasted coffee owned for personal use which are repaid in kind in equal quantity may be made between consumers without the surrender of coffee stamps or certificates.

(b) Gifts of roasted coffee may be made by a consumer to a charitable or religious organization without the surrender of coffee stamps or certificates.

§ 1407.1047 Coffee included in initial inventory. Any coffee included in the initial inventory of a person or registering unit may be transferred to said person or registering unit without the surrender of coffee stamps, certificates, or purchase warrants and irrespective of any restriction on the acquisition of green coffee imposed by Ration Order No. 12.

§ 1407.1048 Exchanges—(a) Of roasted coffee. Roasted coffee may be exchanged for other roasted coffee without the surrender of stamps or certificates: Provided. That the weights of the roasted coffee exchanged must be equal.

(b) Of green coffee. Green coffee may be exchanged for other green coffee irrespective of any restriction on the acquisition of green coffee imposed by Ration Order No. 12: Provided, That the weights of the green coffee exchanged must be equal.

(c) Time limit. Deliveries or shipments of coffee involved in an exchange made pursuant to this section must be made on the same day.

§ 1407.1049 Transfers to exempt persons. Any person may transfer, without the surrender of coffee stamps or certificates and irrespective of any restriction on the transfer or acquisition of coffee imposed by Ration Order No. 12, coffee to any of the persons enumerated in § 1407.991 (c), subject, however, to the provisions of § 1407.991. The Army, Navy, Marine Corps, and Coast Guard may acquire green coffee irrespective of any restriction on the transfer or acquisition of green coffee imposed by Ration Order No. 12.

§ 1407.1050 Transfers between establishments owned by same person. Any person may transfer coffee, without the surrender of coffee stamps or certificates, between establishments owned by him

except between institutional establishments registered in different registering units

§ 1407.1051 Green coffee transferred for roasting. Any person may transfer, irrespective of any restriction on the acquisition of green coffee imposed by Ration Order No. 12, green coffee owned by him to another person for roasting and may accept the return of such coffee after it is roasted, without surrendering coffee stamps or certificates.

§ 1407.1052 Transfer of coffee for carriage. (a) Coffee delivered before November 22, 1942, to a carrier may be delivered by the carrier to the person to whom the coffee was consigned or may be redelivered to the consignor without the surrender of certificates or coffee stamps by anyone in connection therewith and irrespective of any restriction on the acquisition of green coffee imposed by Ration Order No. 12.

(b) On or after November 22, 1942. coffee may be received by a carrier for carriage without the surrender of certificates or coffee stamps by the carrier and irrespective of any restriction on the acquisition of green coffee imposed by Ration Order No. 12. Coffee so received may thereafter be delivered, without the receipt of certificates or coffee stamps by such carrier and irrespective of any restriction on the acquisition of green coffee imposed by Ration Order No. 12, only to (1) the person from whom it was received; (2) the person to whom it was consigned; (3) the person to whom the bill of lading or similar instrument, if any, issued in connection with such carriage, has been duly transferred; or (4) connecting carriers for the purpose of such delivery.

(c) Nothing in this section shall be deemed to relieve any person who delivers roasted coffee to a carrier from the obligation to receive certificates, coffee stamps, or purchase warrants from the consignee or other person to whom a transfer is made as a result of such delivery or from any other obligation imposed by Ration Order No. 12.

§ 1407.1053 Transfer of coffee for storage. (a) Coffee delivered before November 22, 1942, to a public or other warehouse, not an establishment within the meaning of Ration Order No. 12, may at any time, without the surrender of certificates or coffee stamps and irrespective of any restriction on the acquisition of green coffee imposed by Ration Order No. 12, be redelivered to the person who delivered it to such warehouse, or delivered to the person to whom the warehouse receipt or other similar instrument, if any, issued in connection with such storage, has been duly transferred.

(b) On or after November 22, 1942, any-public warehouse may, without surrendering certificates or coffee stamps and irrespective of any restriction on the acquisition of green coffee imposed by Ration Order No. 12, receive roasted coffee for storage and deliver such roasted coffee to the person from whom it received such roasted coffee or to the person to whom the warehouse receipt or other similar instrument, if any, is-

sued in connection with such storage, has been duly transferred.

(c) Nothing in this section shall be deemed to relieve any person who delivers roasted coffee for storage from the obligation to receive coffee stamps, certificates, or purchase warrants from any person other than the warrehouseman to whom such roasted coffee is transferred or from any other obligation imposed by Ration Order No. 12.

§ 1407.1054 Voluntary or involuntary transfer of establishment. (a) Coffee may be acquired by any person without the surrender of coffee stamps or certificates and irrespective of any restriction on the acquisition of green coffee imposed by Ration Order No. 12 where, as a consequence of reoganization, liquidation, merger, foreclosure, execution, assignment for the benefit of creditors, bankruptcy, death, devise, bequest, inheritance, or other voluntary or involuntary transfer or sale of an establishment, all or substantially all the assets of such establishment, including good-will, are transferred to such person.

(b) Any person acquiring roasted coffee pursuant to paragraph (a) of this section shall, with respect thereto, be subject to all obligations of the former owner of the establishment to transfer roasted coffee in exchange for certificates, coffee stamps, or purchase warrants surrendered to such former owner. prior to such acquisition and against which the transfer of roasted coffee had not been completed at the time of such acquisition and be entitled to receive certificates, coffee stamps, or purchase warrants equivalent in weight value to any amount by which the quantity of roasted coffee transferred by such former owner to any person prior to such acquisition exceeds in weight value the certificates, coffee stamps, and purchase warrants surrendered by such person. The person acquiring roasted coffee pursuant to paragraph (a) of this section may continue the operation of the establishment, and, if he does so, shall be subject to all the provisions of Ration Order No. 12 applicable thereto. If a person acquiring roasted coffee pursuant to paragraph (a) of this section does not continue the operation of the establishment, such roasted coffee may be transferred by him pursuant to the provisions of § 1407.1061.

§ 1407.1055 Liquidation of establishments. (a) The person in charge of the liquidation of a retail, wholesale, or institutional establishment, which is the sole establishment owned by the owner thereof, and the person in charge of the liquidation of retail or wholesale establishments, which are all the establishments owned by the owner thereof, or institutional establishments, which are all the establishments in a registering unit. shall promptly after the commencement of the liquidation (1) acquire all roasted coffee for which coffee stamps, certificates, or purchase warrants had been surrendered by said owner; (2) transfer all roasted coffee for which coffee stamps. certificates, or purchase warrants had been surrendered to said owner; (3) acquire all coffee stamps, certificates, or purchase warrants to which said owner

is entitled by reason of the transfer by him of roasted coffee; and (4) surrender coffee stamps, certificates, or purchase warrants for which roasted coffee has been transferred to said owner. At the completion of the liquidation the person in charge thereof shall surrender to the board for cancellation all certificates, coffee stamps, and purchase warrants held by the establishment or establishments and shall account for any difference between the coffee stamps, certificates, and purchase warrants so surrendered and the allowable inventory of such owner, or, if a registering unit is being liquidated, all certificates on hand or, if such registering unit roasts coffee, all coffee stamps or certificates required to be retained thereby pursuant to Ration Order No. 12. If at the completion of the liquidation the person in charge thereof is unable to surrender, acquire, or transfer coffee stamps, certificates, purchase warrants, or roasted coffee as required by this section, he shall file with the board a complete statement of all the facts and circumstances in connection therewith.

- (b) In the event of the liquidation of an institutional establishment, the allotment made thereafter to the registering unit of which said institutional establishment was a part shall be reduced by the amount applicable to such institutional establishment.
- (c) Any person who has surrendered certificates, coffee stamps, or purchase warrants to an establishment and who does not, prior to the liquidation of such establishment or within one month after the commencement of such liquidation. receive from the person in charge of such liquidation, pursuant to paragraph (a) (2) of this section, all the roasted coffee for which certificates, coffee stamps, or purchase warrants have been surrendered by such person to the establishment being liquidated may apply to the board for a certificate authorizing the acquisition of the quantity of roasted coffee he has so failed to receive. Before the board may grant any such application, the applicant shall prove, to the satisfaction of the board, the surrender by him of certificates, coffee stamps, or purchase warrants and his failure to receive roasted coffee therefor as claimed.
- § 1407.1056 Disposal of damaged coffee and undamaged coffee mingled therewith, or coffee in a package, bag, or other container damaged while in transit by common carrier. (a) Coffee which is damaged and undamaged coffee mingled therewith, or coffee which is in a package, bag, or other container damaged while in transit by a common carrier, may be transferred by any person in possession thereof without the surrender of coffee stamps or certificates and irrespective of any restriction on the acquisition of green coffee imposed by Ration Order No. 12 to (1) any person who has insured such coffee against loss or damage and is duly authorized by law to engage in the insurance business; (2) common or contract carriers in connection with the exercise of the right of subrogation or by virtue of the payment by them of a claim for damage to such coffee or container; and (3) persons

engaged principally and primarily in the business of adjusting losses or selling or reconditioning and selling damaged commodities, who take possession of or receive such commodities on the occurrence or imminence of casualties or in connection with the adjustment of losses resulting from casualties.

(b) A person described in paragraph (a) (1), (2), or (3) of this section, acquiring coffee pursuant to said paragraph (a), shall report such fact in writing to the board having jurisdiction over the area in which its principal business office is located. The report shall also state the disposition proposed to be made of such coffee.

(c) Following such report, undamaged coffee which has been mingled with, but which can be and is separated from damaged coffee, or coffee which is in a package, bag, or other container damaged while in transit by common carrier, may be disposed of by such person, but only, if the coffee is green coffee, to a person who is a roaster or who is and was prior to November 22, 1942, a green coffee dealer, or, if the coffee is roasted coffee, as follows:

(1) It may be transferred, without the receipt of coffee stamps or certificates, in the manner provided in §§ 1407.1052, 1407.1053, or 1407.1060.

(2) It may be transferred upon receipt of coffee stamps or certificates as prescribed in Ration Order No. 12 and the coffee stamps or certificates thus received shall be surrendered to the board for cancellation within five days of receipt.

(3) An institutional user may use such roasted coffee subject to the provisions of § 1407.1002 (b).

§ 1407.1057 Replacement of damaged. destroyed, lost or stolen coffee or coffee in a package, bag, or other container damaged while in transit. (a) A person, other than a consumer, whose damaged roasted coffee and undamaged roasted coffee mingled therewith is transferred pursuant to § 1407.1056 (a), or whose roasted coffee is destroyed, lost, or stolen may obtain certificates in weight value equal to the original weight of such roasted coffee. A person, other than a consumer, whose roasted coffee, in a package, bag, or other container damaged while in transit by common carrier, is transferred pursuant to §1407.1056 (a) may obtain certificates in weight value equal to the amount of roasted coffee in such package, bag, or other container before it was damaged. A person, other than a consumer, whose roasted coffee, although in a package, bag, or other container damaged while in transit by common carrier, was not transferred pursuant to § 1407.1056 (a), or was in a package, bag, or other container damaged in any other manner may obtain certificates in weight value equal to the amount of roasted coffee lost from the package, bag, or other container because of such damage.

(b) Written application shall be made by such a person to the board stating facts which establish compliance with the requirements of paragraph (a) of this section and including such other information as the board may require.

§ 1407.1058 Recovery of lost or stolen coffee. (a) Coffee which has been lost or stolen may be recovered without the surrender of coffee stamps or certificates and irrespective of any restriction on the acquisition of green coffee imposed by Ration Order No. 12 by the person rightfully in possession of such coffee when it was lost or stolen or by a person who has insured such coffee against loss or theft and is duly authorized by law to engage in the insurance business or by a common or contract carrier in connection with the exercise of the right of subrogration or by virtue of the payment by it of a claim for such loss or theft. Such recovery may be made directly or through a Government agency or other person authorized to secure such recovery.

(b) A person recovering lost or stolen roasted coffee for which he has obtained a certificate pursuant to § 1407.1057 shall report such fact in writing to the board. The report shall also state the amount of such roasted coffee and the disposition proposed to be made of it. Such roasted coffee may thereafter be disposed of by such person but only in the manner provided by § 1407.1056 (c) (1), (2), and (3).

(c) An insurer or carrier recovering lost or stolen coffee shall report such fact in writing to the board having jurisdiction over the area in which its principal office is located. The report shall also state the amount of such coffee and the disposition proposed to be made of it. Such coffee may thereafter be disposed of by such person but only in the manner provided by paragraphs (c) (1), (2), and (3) of § 1407.1056.

§ 1407.1059 Surrendering certificates to the board for cancellation. Where roasted coffee which had been transferred pursuant to §§ 1407.1049 or 1407.1060 is returned to the person from whom it was acquired and such person has obtained from the board certificates authorizing the acquisition of roasted coffee to replace such roasted coffee, such person shall surrender to the board for cancellation certificates or coffee stamps in weight value equal to the weight of the roasted coffee so returned.

§ 1407.1060 Acquisition of coffee by judicial process, by operation of law and for security and similar purposes; enforcement—(a) Acquisition by judicial process, by operation of law, and by the exercise of statutory rights or powers. Coffee may be acquired by, or a lien created thereon in favor of, the following persons and in the following cases without the surrender of coffee stamps or certificates and irrespective of any restriction on the acquisition of green coffee imposed by Ration Order No. 12: (1) any person pursuant to judicial process or an order issued by a court of competent jurisdiction or by operation of law; (2) a State or political subdivision or agency thereof or by the United States or any agency thereof in the enforcement or exercise against such coffee of statutory rights or powers.

(b) Creation of security interests and liens. Coffee may be acquired for security purposes by, or a lien created thereon for security purposes in favor of, the following persons and in the follow-

ing cases without the surrender of coffee stamps or certificates and irrespective of any restriction on the acquisition of green coffee imposed by Ration Order No. 12: (1) a State or political subdivision or agency thereof or the United States or any agency thereof or any person duly licensed to engage in the business of making loans upon collateral and regulated in conducting such business by a State or the United States; (2) any person where the security interest arises or is transferred with respect to all or substantially all the coffee of an establishment.

(c) Assignments prohibited. Nothing in this section shall be deemed to permit any person to acquire, without coffee stamps or certificates or irrespective of any restriction on the acquisition of green coffee imposed by Ration Order No. 12, an interest in coffee in connection with or as a consequence of an assignment of less than the entire debt

secured by such coffee.

(d) Release or return. Except as otherwise provided in Ration Order No. 12, coffee or any interest therein or lien thereon acquired pursuant to paragraphs (a) or (b) of this section may be returned to the person from whom it was acquired or released without the surrender of coffee stamps or certificates and irrespective of any restriction on the acquisition of green coffee imposed by Ration Order No. 12 or such coffee may be used or transferred pursuant to the provisions of § 1407.1061.

(e) Enforcement of security. Any person who has acquired coffee or in whose favor a lien thereon has seen created under the authority of this section, or who holds a lien on or security interest in coffee created prior to November 22, 1942, may enforce such security, lien, or other interest in the manner provided by applicable State or Federal laws. Transfers necessary for the enforcement thereof may be made to such person, without the surrender of coffee stamps or certificates and irrespective of any restriction on the acquisition of green coffee imposed by Ration Order No. 12, or to other persons, with respect to roasted coffee, upon receipt of appropriate coffee stamps or certificates (except as otherwise provided in Ration Order No. 12) to be disposed of as provided in § 1407.1061, or, with respect to green coffee, to persons authorized to acquire such coffee by Ration Order No. 12. Roasted coffee acquired by such person hereunder may not be used by such person and may not be transferred except pursuant to § 1407.1061.

§ 1407.1061 Disposal of roasted coffee acquired without coffee stamps or certificates. Any person who acquires roasted coffee without the surrender of coffee stamps or certificates, pursuant o § 1407.1060, may thereafter, if an institutional user, use such roasted coffee subject to the provisions of § 1407.1002 (b) or may transfer such roasted coffee only upon surrender to him of appropriate coffee stamps or certificates, except as otherwise expressly permitted by Ration Order No. 12. Such coffee stamps or certificates shall, within five days after each such transfer, be surrendered for

cancellation to the State Director of the State in which such person resides or in which his principal business office is located.

§ 1407.1062 Obtaining certificates to replace roasted coffee acquired pursuant to § 1407.1060. When roasted coffee of a person wao does not roast such coffee, has been acquired by another person without the surrender of coffee stamps or certificates, pursuant to § 1407.1060, the person from whom such roasted coffee has been acquired may apply to the board for a certificate in weight value equal to the weight of the roasted coffee acquired from him. Before the board may grant any such application, the applicant shall prove to the satisfaction of the board that the roasted coffee was acquired from him under the conditions described in § 1407.1060 and has not been returned to

PETITIONS FOR ADJUSTMENT; NEW BUSINESS

§ 1407.1065 Petitions for adjustment of base, allotment, or allowable inventory. (a) Any person may petition the board in writing for an adjustment of his base. allotment, or allowable inventory. Such petition shall state the name and address of the petitioner, the adjustment sought by him, the grounds on which the adjustment is sought, and any other facts deemed pertinent by such person. The board may request such additional information as it may deem pertinent, and shall, within ten days after the receipt of the petition, send it together with all relevant and material evidence and information received by the board, to the State Director. The board shall attach to the petition its recommendation concerning the action to be taken thereon.

(b) The State Director shall not act upon said petition but shall forward it, together with all other material concerning said petition received from the board, to the Office of Price Administration, Washington, D. C., for appropriate action. The petitioner may be requested to furnish further information and to ap-

pear personally.

§ 1407.1066 New establishments—(a) Retail establishments. (1) Any person desiring to obtain coffee for a retail establishment owned by him which commenced or will commence operations on or after November 22, 1942, may petition the board having jurisdiction over the area in which such person's principal business office is located for assignment to such person for such establishment of an allowable inventory.

(2) The board shall assign to the owner of such establishment an allowable inventory of coffee, not to exceed one pound of coffee for every ten dollars of the estimated gross sales, of all meats, groceries, fruits, vegetables, and similar products, to be made by said establishment in the first month of its operations, and shall issue to such owner a certificate or certificates in a weight value equal to such allowable inventory.

(3) Within ten days after the completion of its first two full months of operations the establishment shall report to the board its average monthly gross sales of all meats, groceries, fruits,

vegetables, and similar products. If such report shows that the allowable inventory assigned by the board with respect to such establishment pursuant to paragraph (a) (1) of this section is greater than one pound of coffee for every ten dollars of such average monthly gross sales, the board shall reduce the allowable inventory to such amount and the establishment shall surrender to the board for cancellation coffee stamps or certificates in weight value equal to the amount of such reduction. If such report shows that the allowable inventory assigned to such establishment by the board pursuant to paragraph (a) (1) of this section is less than one pound for every ten dollars of such average monthly gross sales, the board shall increase the allowable inventory to such amount by issuing additional certificates to the establishment.

(b) Wholesale establishments. Any person desiring to obtain coffee for a wholesale establishment owned by him which commenced or will commence operations on or after November 22, 1942, may petition the Office of Price Administration, Washington, D. C., for assignment to him for such establishment of an allowable inventory. The petition shall state the name and address of the owner, the location or proposed location of the establishment, the value or estimated value of all meats, groceries, fruits, vegetables, and similar products on hand or to be acquired by such establishment, whether the establishment will roast coffee, the estimated transfers (in pounds) by the establishment during the first month of its operations of roasted coffee to be acquired by the establishment as roasted, and the estimated transfers (in pounds) by the establishment during the first month of its operations of roasted coffee roasted by the establishment.

REPORTS AND RECORDS

§ 1407.1068 In general. All persons who transfer or acquire coffee shall maintain such records and make such reports as Ration Order No. 12 requires and as the Office of Price Administration may from time to time require. Unless otherwise indicated in Ration Order No. 12, such records shall be maintained for a period of not less than two years and shall be available during such period for inspection by the Office of Price Administration.

§ 1407.1069 By retailers and wholesalers. (a) Every retailer and wholesaler shall maintain records of (1) all roasted and green coffee acquired by him on or after November 22, 1942, the names and addresses of the persons from whom such coffee was acquired, and the date and amount of each acquisition thereof; (2) the names and addresses of all persons, except consumers, to whom green and roasted coffee was transferred and the date and amount of each transfer; (3) the names and addresses of all persons to whom purchase warrants were surrendered and the date and amount of each purchase warrant so surrendered; (4) the names and addresses of all persons from whom purchase warrants were received and the date and amount of

each purchase warrant so received; and (5) the amounts of his initial and allowable inventories of coffee. Each retailer and wholesaler shall also preserve all existing sales and other records upon which the computations of his initial and allowable inventories are based.

(b) Every retailer or wholesaler shall on or before December 31, 1942, report to the board, on such form as may be prescribed by the Office of Price Administration, the following: (1) the information contained in his records maintained pursuant to paragraphs (a) (3), (a) (4), and (a) (5) of this section; (2) the computations of his initial and allowable inventories; and (3) such other information as may be called for by such form.

§ 1407.1070 By institutional and industrial users. Every institutional registering unit and every industrial user shall maintain a record showing by months, the amounts of green and roasted coffee acquired by it and the names and addresses of the persons from whom such coffee was acquired, the amount of green coffee roasted by it, and, in the case of an industrial user, the amount of coffee used by him in products transferred by him.

§ 1407.1071 By persons transferring or acquiring green coffee. (a) Every person, not a retailer or a wholesaler, who transfers or acquires green coffee shall keep a record of the dates and amounts of such transfers and acquisitions and of the names and addresses of the persons to whom green coffee was transferred and from whom green coffee was acquired by him.

(b) Every person, other than the Army, Navy, Marine Corps, and Coast Guard, and Commodity Credit Corporation, who transfers or acquires green coffee shall monthly, beginning in January 1943, prepare a report in triplicate, showing, with respect to the previous month, (1) the names and addresses of the persons to whom green coffee was transferred and from whom green coffee was acquired, together with the dates and amounts of such transfers and acquisitions, and (2) his inventory of green and roasted coffee as of the first day of the month in which the report is prepared. Every person who roasts coffee shall, in addition, include in such report a statement of the weight value of all coffee stamps, certificates, and purchase warrants received by him against which he transferred, during the preceding month, roasted coffee which was roasted by him.

(c) The original and duplicate of each report referred to in paragraph (b) of this section shall be sent to the Office of Price Administration, Washington, D. C., not later than the tenth day of each month. The triplicate copy shall be retained by the person reporting. The report for the month of December 1942 shall include the required information for the period from November 22 to December 31, 1942, inclusive.

§ 1407.1072 Miscellaneous records. Any person required to make a report pursuant to § 1407.1056 or 1407.1058 shall preserve at his principal business office records of all coffee acquired or transferred by him pursuant to those sections, the persons by or to whom such transfers were made and the amounts thereof, the weight value of all coffee stamps and certificates received by him for such transfers, the serial numbers of such certificates, and the amount of roastec coffee transferred against such coffee stamps and certificates.

§ 1407.1073 Disclosure of information.

(a) Information and documents obtained under Ration Order No. 12 will not be disclosed, in response to subpoena or otherwise, to any person other than the person furnishing such information or documents unless the Administrator or an officer or employee of the Office of Price Administrator (1) determines that the requested disclosure is not contrary to any provision of law and (2) consents to such disclosure.

MISCELLANEOUS

§ 1407.1075 Administration. Ration Order No. 12 shall be administered by the Office of Price Administration, its Regional Administrators, State Directors, war price and rationing boards, and such other administrative personnel as it may designate.

§ 1407.1076 Powers and duties. The persons appointed to administer Ration Order No. 12 or to assist therein shall have such powers and duties as are herein described and as the Office of Price Administration has assigned and may from time to time assign.

§ 1407.1077 Imports of roasted coffee.

(a) Roasted coffee may be brought to a place subject to Ration Order No. 12 from a place not subject to Ration Order No. 12, if it is delivered to the Collector of Customs at the point of entry into the United States. Such roasted coffee may be delivered to the Collector of Customs without the receipt of coffee stamps or certificates.

(b) The Collector of Customs may transfer roasted coffee thus received by him to any person importing such roasted coffee upon the receipt of coffee stamps or certificates in weight value equal to the weight of the roasted coffee transferred. When coffee stamps are surrendered to the Collector of Customs by a consumer importing the roasted coffee, the Collector of Customs shall detach from the war ration book of such consumer one coffee stamp for each pound of roasted coffee imported, in the following order: 27, 28, 25, 26, 23, 24, 21, 22, 20. Coffee stamps or certificates so received by the Collector of Customs shall be delivered, at least once each calendar month, to the State Director of the State in which such point of entry is located.

(c) Except as otherwise permitted in Ration Order No. 12, no person shall bring roasted coffee into a place subject to Ration Order No. 12 from a place not subject to Ration Order No. 12 or receive roasted coffee from the Collector of Customs.

§ 1407.1078 Weight computation formulae—(a) Basis of computations. In applying for and issuing certificates, issuing purchase warrants, and computing initial and allowable inventories, coffee bases, and allotments, all weights of coffee shall be stated in terms of roasted coffee.

(b) Conversion—(1) Green coffee into terms of roasted coffee. Whenever it is necessary, for the purpose of Ration Order No. 12, to compute the weight of green coffee in terms of weight of roasted coffee, such computation shall be made by multiplying the weight of the green coffee by .84.

(2) Roasted coffee into terms of green coffee. Whenever it is necessary, for the purpose of Ration Order No. 12, to compute the weight of roasted coffee in terms of weight of green coffee, such computation shall be made by multiplying the weight of the roasted coffee by 1.19.

§ 1407.1079 Appeals. (a) Any person directly affected by the action of a board, State Director, or Regional Administrator taken with reference to any application, petition, or other matter before such board, State Director, or Regional Administrator under Ration Order No. 12 may appeal from such action in accordance with Procedural Regulation No. 9.2

(b) This section shall not apply to any action taken with respect to petitions made pursuant to \$\\$ 1407.1065 or 1407.1066, except action taken with respect to such a petition by the board, State Director, or Regional Administrator in cases where the board or official taking the action has been authorized by the Office of Price Administration to grant or deny such petition.

§ 1407.1080 Persons authorized to sign reports, forms, purchase warrants. Registration forms, petitions, applications, reports, purchase warrants, and any other documents required by Ration Order No. 12 to be signed by retailers, wholesalers, or industrial or institutional users may be signed by an owner, a partner (if the owner is a partnership), an officer (if the owner is a corporation, association, or similar organization), a manager of the owner, or any authorized agent of the owner.

§ 1407.1081 Communications. All petitions and reports required by Ration Order No. 12 to be made to the Office of Price Administration, Washington, D. C., and all other communications concerning Ration Order No. 12 sent to the Washington, D. C., office of the Office of Price Administration shall be addressed to: Office of Price Administration, Att: Food Rationing Division, Washington, D. C.

§ 1407.1082 Duties, rights, obligations of establishments and registering units. When the provisions of Ration Order No. 12 impose or confer duties, rights, or obligations upon an establishment or registering unit, such duties, rights, and obligations shall be considered as being conferred or imposed upon the person owning such establishment or registering unit with respect thereto.

§ 1407.1083 Additional prohibitions.

(a) No person shall, except in accordance with Ration Order No. 12 or other ration order of the Office of Price Ad-

²⁷ F.R. 8796.

ministration, deface, mutilate, alter, or destroy any coffee stamp, war ration book, purchase warrant, certificate, or any other document or record provided for in Ration Order No. 12.

(b) No person shall transfer, acquire, possess, or use coffee except in accordance with the provisions of Ration Order No.

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(c) No person shall, or shall cause another person to, solicit, attempt, or agree to do any act in violation of Ra-

tion Order No. 12.

(d) No person shall, in any application, petition, inventory, certificate, report, or other statement or record made pursuant to or required by the provisions of Ration Order No. 12, make any untrue statement of any fact, or omit to state any fact required to be stated therein or necessary to make the statements therein not misleading.

§ 1407.1084 Acquisition and transfer of roasted coffee by Army, Navy, Marine Corps, and Coast Guard post exchanges, commissaries, ships' service stores, and men's and officers' clubs-(a) Acquiring roasted coffee for institutional purposes. Army, Navy, Marine Corps, and Coast Guard post exchanges and ships' service stores, and officers' clubs, non-commissioned officers' clubs, and enlisted men's clubs maintained within the limits of Army, Navy, Marine Corps, or Coast Guard posts, camps, or bases, which use roasted coffee in the preparation of beverages, shall not register as institutional users pursuant to § 1407.995, but shall acquire roasted coffee for such purposes, without the surrender of certificates therefor, from the Army, Navy, Marine Corps, or Coast Guard commissaries or supply activities, in such amounts and in accordance with such arrangements as may be approved b, the Office of Price Administration.

(b) Acquiring roasted coffee for transfer to consumers. Army, Navy, Marine Corps, and Coast Guard post exchanges, ships' service stores, and commissaries, which transfer roasted coffee to consumers shall, with respect to such transfers, be governed by the applicable provisions of Ration Order No. 12 concerning transfers of roasted coffee by retailers and wholesalers: Provided, however, That such post exchanges, ships' service stores, and commissaries may acquire roasted coffee for the purpose of transfer to consumers either from the Army, Navy, Marine Corps, or Coast Guard, without the surrender of coffee stamps or certificates, or from civilian suppliers upon the surrender to such suppliers of certificates obtained from the Army, Navy, Marine Corps, or Coast Guard. Coffee stamps and certificates received from consumers by any such post exchange, ship's service store, or commissary shall be surrendered by it at least once each week to the nearest board.

ENFORCEMENT

§ 1407.1085 Removal of coffee stamps from war ration books of individuals under 15 years old. (a) Upon the issuance of War Ration Book Two to an individual whose age, as entered on his War Ration Book One, is less than 15, there shall be detached from the War Ration Book One of either parent or the guardian of such individual or from the War Ration Book One of any person legally responsible for such individual two coffee stamps for each coffee stamp that is not attached to the war ration book of such individual. The board shall destroy all coffee stamps it thus detaches from war ration books pursuant to this paragraph.

(b) Any action taken by the board pursuant to this section shall be in addition to any penalties provided by law for violation of Ration Order No. 12.

§ 1407.1086 Criminal prosecutions.

(a) Any person who wilfully performs any act prohibited, or wilfully fails to perform any act required by any provision of Ration Order No. 12, may upon conviction be fined not more than \$10,000.00, or imprisoned for not more than one year, or both, and shall be subject to such other penalties as may be prescribed by law.

(b) Any person who knowingly falsifies an application, or any other record, report, purchase warrant, or certificate made pursuant to or required by the terms of Ration Order No. 12, or who otherwise knowingly furnishes false information concerning a material fact within the jurisdiction of the Office of Price Administration to any board, or any other agent, employee, or officer of the Office of Price Administration, or who attempts by the use of a trick, scheme, or device to conceal or cover up such a material fact within the jurisdiction of the Office of Price Administration, may upon conviction be fined not more than \$10,000.00, or imprisoned for not more than ten years, or both, and shall be subject to such other penalties as may be prescribed by law. Any person who conspires with another person to perform any of the foregoing acts may upon conviction be fined not more than \$10,000.00, or imprisoned for not more than two years, or both, and shall be subject to such other penalties as may be prescribed

§ 1407.1087 Suspension orders. Any person who violates Ration Order No. 12 may, by administrative suspension order, be prohibited from acquiring or transferring any coffee or other rationed product for such period as in the judgment of the Administrator is necessary or appropriate in the public interest and to promote the national security.

§ 1407.1088 Report of violations. Any person may report a violation of Ration Order No. 12 to a war price and rationing board, a State Director, a Regional Administrator of the Office of Price Administration, or to the Office of Price Administration, Washington, D. C.

EFFECTIVE DATE

§ 1407.1090 Effective date of Ration Order No. 12. Ration Order No. 12 (§§ 1407.951 to 1407.1092, inclusive) shall become effective 12:00 p. m., November 21, 1942.

SCHEDULES

§ 1407.1091 Designation of ration periods and of coffee stamps valid therein.

Ration period	Coffee stamp valid during ration period
November 29, 1942, to January 3, 1943, inclusive.	Coffee Stamp No. 27.

§ 1407.1092 Allotment percentage for institutional users.

Period	Percentage of base
For period from date of registration to January 31, 1943, inclusive	100

Issued this 20th day of November 1942.

LEON HENDERSON,

Administrator.

[F. R. Doc. 42-12159; Filed, November 20, 1942; 12:38 p. m.]

PART 1305-ADMINISTRATION

[Supplementary Order 5,1 Amendment 2]

LICENSING

A statement of the reasons for this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Paragraphs (a), (b), (c), (d), (e) and (f) of § 1395.7 are redesignated as paragraphs (b), (c), (d), (e), (f) and (g), respectively, and a new paragraph (a) is added, to read as set forth below:

§ 1305.7 Provisions licensing dealers selling waste, scrap and salvage materials to consumers (and in the case of iron and steel scrap to consumers or their brokers) - (a) License required. A license as a condition of selling is required of every dealer selling to a consumer (and in the case of iron and steel scrap to a consumer or his broker) any waste, scrap or salvage material for which maximum prices are established by the price schedules and price regulations specified in paragraph (b) hereof. No person whose license is suspended in proceedings under section 205 (f) (2) of the Emergency Price Control Act of 1942 shall, during the period of suspension, sell any waste, scrap or salvage materials as to which his license to sell is suspended.

(b) License granted. * * *
(c) Registration of licensees. *

(d) License not transferable. (e) Suspension of license.

(f) Definitions. * * * (g) Effective date. * * *

(3) Amendment No. 2 (§ 1305.7) to Supplementary Order No. 5 shall become effective November 25, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

*Copies may be obtained from the Office of Price Administration. 17 F.R. 3403, 6077. Issued this 20th day of November 1942. LEON HENDERSON, Administrator.

[F. R. Doc. 42-12189; Filed, November 20, 1942; 3:41 p. m.]

PART 1315-RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COM-

[Ration Order 1A,1 Amendment 1]

TIRES, TUBES, RECAPPING AND CAMELBACK

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1315.1198 (a) is amended, and a new § 1315.1199 is added, to read as follows:

§ 1315.1198 Effective date of Ration Order No. 1A. (a) Ration Order No. 1A (§§ 1315.151 to 1315.1198 inclusive) shall become effective December 1, 1942.

§ 1315.1199 Effective dates of amendments. (a) Amendment No. 1 (§§ 1315.-1198 and 1315.1199) to Ration Order No. 1A shall become effective November 22,

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719, issued Apr. 7 1942, W.P.B. Dir. No. 1, 7 F.R. 562, Supp. Dir. No. 1Q, 7 F.R. 9121)

Issued this 20th day of November 1942.

LEON HENDERSON, Administrator.

[F. R. Doc. 42-12186; Filed, November 20, 1942; 3:41 p. m.]

PART 1347-PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPERS AND PAPER PROD-

[MPR 129,3 Amendment 11]

WAXED PAPER, ETC.

Papers affected: Waxed paper.

Envelopes. Paper cups, paper containers and liquid tight containers.

Sanitary closures and milk bottle caps.

Drinking straws. Certain sulphate and certain sulphite

papers. Certain tissue papers.

Rope and jute papers.

Technical papers. Gummed papers.

Tags, pin tickets and marking machine tickets.

Glazed and fancy papers. Resale book matches

Unprinted single weight crepe paper in

A statement of the considerations involved in the issuance of this amend-ment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

The words "Standard grocer's and variety bags" in the title, which hereafter reads as set forth above, paragraph (a) of § 1347.12, and subparagraph (17) of § 1347.22 (a) are hereby revoked.

§ 1347.25 Effective dates of amend-

(k) Amendment No. 11 (§§ 1347.12 (a), 1347.22 (a) (17)) to Maximum Price Regulation No. 129 shall become effective November 27, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 20th day of November 1942. LEON HENDERSON, Administrator.

[F. R. Doc. 42-12188; Filed, November 20, 1942; 3:41 p. m.]

PART 1347-PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPERS AND PAPER PROD-UCTS

[MPR 182,1 Amendment 3]

KRAFT WRAPPING PAPERS AND CERTAIN BAG PAPERS AND CERTAIN BAGS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.* The words "Certain Bags" in the title, which hereafter reads as set forth above; §§ 1347.305 (a), 1347.306, 1347.307, 1347.-308a, subparagraphs (2) and (3) of § 1347.311 (a) are amended; and three new §§ 1347.315, 1347.316 and 1347.317 are added; as set forth below:

§ 1347.305 Records and reports. (a) Every person making a purchase or sale in the course of trade or business of Kraft wrapping paper or Kraft bag paper after July 28, 1942, or of standard grocer's or variety bags after November 26, 1942, shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942 remains in effect, complete and accurate records of each such purchase or sale showing the date thereof, the name and address of the purchaser or seller, the price paid or received, the quantity and grade bought or sold.

§ 1347,306 Export sales. The maximum price at which a person may export Kraft wrapping papers or Kraft bag papers or standard grocer's or variety bags shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation a issued by the Office of Price Administration.

§ 1347.307 Adjustable pricing. No person shall enter into an agreement permitting an adjustment of prices to prices in excess of the maximum prices established by §§ 1347.301 (a), (b) and (c), 1347.315 and 1347.316, in the event of this Maximum Price Regulation No. 182 being held invalid or upon any other condition, except that any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery. In an appropriate situation, where a petition for amendment requires extended consideration, the Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pendency of the petition in accordance with the disposition of the petition.

§ 1347.308a *Licensing*. The provisions of Supplementary Order No. 19, licensing distributors of paper and paper products, are applicable to every distributor selling any of the commodities for which maximum prices are now or hereafter established by Maximum Price Regulation No. 182. The term "distributor" shall have the meaning given to it by Supplementary Order No. 19.

§ 1347.311 Definitions. (a) When used in this Maximum Price Regulation No. 182, the term:

(2) "Manufacturer" includes any person who manufactures any Kraft wrapping paper or Kraft bag paper or standard grocer's or variety bags covered by this Maximum Price Regulation No. 182, and any person who distributes or sells Kraft wrapping paper or Kraft bag paper or standard grocer's or variety bags as a del credere agent or other representa-

tive of a manufacturer.
(3) "Merchant or distributor" includes any person who buys Kraft wrapping paper or Kraft bag paper or standard grocer's or variety bags in any quantity from a manufacturer or other seller, and

who resells such paper. *

§ 1347.315 Manufacturers' maximum prices for standard grocer's and variety bags. On and after November 27, 1942, regardless of any contract, agreement, lease or other obligation, no person shall sell or deliver, or offer, solicit or attempt to sell or deliver standard grocer's or variety bags listed in paragraph (b) of this section, and no person shall buy or receive, or offer, solicit or attempt to buy or receive standard grocer's or variety bags listed in the aforementioned paragraph in the course of trade or business, at prices higher than the maximum prices set forth in this section and § 1347.316. The provisions of this section and § 1347.316 shall not be applicable to sales or deliveries of standard grocer's or variety bags to a purchaser, if, prior to November 27, 1942, such standard grocer's or variety bags have been received by a carrier, other than a carrier owned or controlled by the seller, for shipment to such purchaser.

(a) Preliminary explanation. maximum prices as hereinafter set forth are computed on the basis of industry base price lists, which lists are included in § 1347.317. The maximum manufacturers' prices are set forth in terms of discounts of 5% each from the basic list price, then 5% off the resultant figure, and so forth, and may be ascertained by reference to the list and discount computations included in § 1347.317.

^{*}Copies may be obtained from the Office of Price Administration.

¹7 F.R. 9160, 9392. ²7 F.R. 3178, 3242, 3482, 3554, 4176, 4668, 5212, 5780, 5943, 7974, 8939, 8948, 9132.

¹7 F.R. 5712, 6048, 7974, 8997, 8948. ²7 F.R. 5059, 7242, 8829, 9000.

(b) Tabulation of maximum prices in sales by manufacturers.

Maximum basic discou Grades standard b	ints from
	noc stora
Self-opening (automatic) Kraft grocer's bags Square & flat Kraft grocer's bags	26/5s 27/5s
Self-opening (automatic) White	
M. F. grocer's bags	22/58
Square & flat white M. F. grocer's	-
bags	23/5s
Garment and pants bags:	-
30 # M. F. Brown Kraft	10/58
25# M. F. Brown Kraft	12/5s
Liquor bottle bags 35 # M. F. Brown	
Kraft	26/58
Millinery and notion bags:	
25# M. F. Brown stripe Kraft	25-11/5s
25 # M. G. Grey stripe Kraft	25-10/58
25 # M. F. Brown Kraft	25-12/5s
25# M F. Grey Kraft	25-11/58
30# M. F. Brown Kraft	25-10/5s
30 # M. F. Grey Kraft	25- 9/58
	18/5s
Shopping bags 2	10/03
Standard, poultry, and bundle	07/5-
sacks *	27/5s
Sugar bags 1	26/5s

¹ These discounts are from the respective industry base lists. The lists and computations of discounts are set forth in § 1347.317 herein.

³ Brown M. F. Kraft in the basis weights as stated in the simplification report submitted to the War Production Board by Conservation Committee for the Paper Bag Industry.

- (1) The maximum prices established in paragraph (b) of this section are the maximum prices per thousand bags in carload lots, Zone A, f. o. b. mill, lowest available carload rate of freight allowed to destination point. The lowest available carload rate of freight means the lowest freight rate for shipment of carload quantities by the means of transportation available at the time of shipment.
- (c) Differentials applicable to sales by manufacturers. In sales by manufacturers, there may be added to the maximum base prices established in paragraph () of this section the following differentials in only such cases in which such differentials are applicable:

(1) Deliveries to zones other than A, in carload lots, f. o. b. mill, lowest available rate of freight allowed to destination point:

- (i) Zone B 3-1/5 less than basic discount.
- (ii) Zone C 2-2/5s less than basic discount.
 - (iii) Zone D -Same as Zone A.
- (2) For 1. c. 1. orders: 3/5s less than basic discount.
- (3) For other grades of variety or odd bags, there shall be subtracted from or there may be added to the maximum price for popular weight self-opening (automatic) Kraft grocer's bags set forth in paragraph (b) of this section, the differential between such grades and popular weight self-opening (automatic) Kraft grocer's bags actually employed by the manufacturer in sales or deliveries during the period from October 1, 1941, to October 15, 1941, inclusive, to a purchaser of the same class.

Within 10 days after the first sale involving the application of any such differential subsequent to the effective date of this Amendment, the seller shall submit to the Office of Price Administration. Washington, D. C., a report, signed under oath, setting forth the amount of such differential, to what the differential was applied, the purpose or use of the bags to which such differential was applied, and the estimated tonnage of such bags to which such differential was applied, to be manufactured during the succeeding six months. The differential so reported shall be subject to adjustment or disapproval at any time by letter of the Office of Price Administration.

(d) Definitions. When used in this Amendment No. 2, the term:

(1) "Standard grocer's or variety bags" includes all types of grocer's bags (squares, flats, self-opening (automatic), and sacks), millinery and notion bags, liquor bottle bags, banana bags, candy bags, doughnut bags, garment and pants bags, laundry bags, nail bags, shopping bags and sugar bags, excluding bags made of specialty papers and transparent material.

(2) "Bale" includes a shipping bundle or unit containing the number of bags specified in the standard industry net price discount tables for the particular sizes and types of standard grocer's or variety bags involved.

(3) Base list means industry list. Basic discount means discounts from the base list as used in this regulation.

(4) "Purchaser of the same class" refers to the practice adopted by the seller in setting different prices for commodities or services for sales to different purchasers or kinds of purchasers (for example, manufacturer, wholesaler, jobber, retailer, government agency, public institution, individual consumer) or for purchasers located in different areas or for different quantitles or grades or under different conditions of sale.

(5) "Zone A" includes Texas, Oklahoma, Kansas, Nebraska, the cities of Aberdeen, Watertown, Brookings, Sioux Falls, Huron and Mitchell in South Dakota, the cities of Grand Forks, Fargo and Wahpeton in North Dakota and all the continental United States east of this

(6) "Zone B" includes New Mexico, Colorado, Wyoming and the areas of North Dakota and South Dakota not included in Zone A.

(7) "Zone C" includes Montana, Utah, and all of Idaho and Nevada not included in Zone D.

(8) "Zone D" includes Washington, Oregon, California, the cities of Reno and Las Vegas in Nevada and the cities of Coeur D'Alene, Wallace, Moscow, Lewiston, Weiser, Boise and Nampa in Idaho.

§ 1347.316 Merchants' or distributors' maximum prices for standard grocer's and variety bags—(a) Sales to persons other than merchants or distributors. The maximum price shall be the manufacturer's price as established in § 1347.-315 (b), plus the differentials set forth in § 1347.315 (c) (1) and (2) when ac-

tually charged by the manufacturer (with the exception stated in paragraph (a) (1) below), plus the following markups:

	Mark-up industry			
Quantity in bales:	dis	coun	t tai	les)
Less than 1			1	2/58
1 to less than 5				6/5s
5 to less than 10			-	5/58
10 to less than 75				4/58
75 to less than 300.			-	3/5s
300 to less than ca	rload			2/58
Carload				1/5

(For example, where the manufacturer's maximum price in basic discounts from the standard base list amounts to 26/5s, the mark-up is computed by deducting the appropriate number of 5s from such 26/5s; in a sale of 5 to less than 10 bales, the mark-up is determined by deducting 5/5s from such 26/5s, resulting in a maximum price which amounts to 21/5s in discounts from such base list.)

(1) On sales of standard grocer's bags and sacks the manufacturer's differentials for 1. c. l. shipments as set forth in § 1347.315 (c) (2) may in no event be included in a determination of the maximum price of the merchant or distributor.

(b) Sales to other merchants or distributors. The maximum price shall be the manufacturer's price as set forth in § 1347.315 (b), plus the differentials set forth in § 1347.315 (c) (1) and (2) when actually charged by the manufacturer (with the exception stated in paragraph (b) (1) below), plus the following markups:

 Mark-up (see standard industry base lists and liscount tables)

 Quantity in bales:
 discount tables)

 Less than 1
 6/5s

 1 to less than 5
 3/5s

 5 to less than 10
 2½/5s

 10 or more
 2/5s

- (1) On sales of standard grocer's bags and sacks the manufacturer's differentials for l. c. l. shipments as set forth in § 1347.315 (c) (2) may in no event be included in a determination of the maximum price of the merchant or distributor.
- (c) Charges for delivery in sales by merchants or distributors. (1) The maximum prices established in this section shall be f. o. b. point of delivery for shipments to points within a free delivery zone or area within which the merchant or distributor customarily shipped or would have shipped on such basis during the period from October 1 to October 15, 1941.
- (2) On sales of less than carload lots to points outside the recognized free delivery zone, the merchant may add the differential which he charged during the period October 1 to October 15, 1941, or, if he made no such sale, which he would have charged on such deliveries to purchasers of the same class, or the actual freight, whichever is lower.

(d) For sales involving shipment from the manufacturer directly to a person purchasing from a merchant or distributor, the maximum prices shall be those

⁸ Applicable in sales of standard grocer's or variety bags.

^{*} Supra.

established in paragraph (a) of this section.

(e) For sales in carload lots involving shipment from the manufacturer to a person purchasing from a merchant or distributor where local delivery by the merchant or distributor from a warehouse or rail siding is required, there may be added to the maximum price established herein the actual delivery expense (except that no rail freight shall

be included), which in no event shall exceed the applicable local common carrier rate; and such expense shall be separately included in the invoice or other evidence of sale.

§ 1347.317 Base price lists and computation of discounts. The basic manufacturers' price lists, and the computation of discounts off such lists, as referred to in this regulation, are as set forth below:

GROCERS BAGS

BASE LIST AND NET PRICE DISCOUNT TABLES

Bag size	Net	34	3/2	1	2	3	4	5	6	7	8	10	11	12	14	16	20	25	30	33
list price	on \$100	1. 70	1. 90	2. 40	2. 80	3. 30	3, 90	5. 00	5. 90	6. 40	6. 70	7. 40	7. 90	8, 30	10. 50	11. 20	12, 40	13. 50	15. 00	18,
/5	95.00	1, 62	1. 81	2. 28	2. 66	3, 14	3. 71	4. 75	5, 61	6.08	6. 37	7. 03	7. 51	7. 89	9. 98	10, 64	11. 78	12, 83	14. 25	17.
5	90. 25		1 71	2, 17	2. 53	2.98	3. 52	4. 51	5. 32	5. 78	6.05	6. 68	7. 13	7. 49			11. 19			
5	85. 74 81. 45	1 46	1, 63	2.06	2, 40	2, 88	3. 34	4, 29	5. 06	5, 49	5. 74	6. 34	6. 77	7. 12			10.63			
5	77. 38	1 32	1. 47	1 86	2 17	2, 00	3 02	3 87	4 57	4 95	5 18	5 73	6 11	6 42	8. 55 8. 12		10. 10	10, 45		
5	73, 51	1, 25	1, 40	1. 76	2,06	2, 43	2,87	3, 68	4.34	4, 70	4, 93	5, 44	5. 81	6. 10	7. 72	8. 23	9, 12	9. 92		
	69, 83	1. 19	1. 33	1.68	1.96	2, 30	2,72	3, 49	4. 12	4. 47	4.68	5. 17	5, 52	5. 80	7. 33	7. 82	8. 66	9.43	10.47	12.
5	66. 34	1. 13	1. 26	1. 59	1.86	2, 19	2.59	3, 32	3. 91	4. 25	4. 44	4.91	5. 24	5. 51	6. 97		8. 23	8, 96	9.95	
	63.02 59.87	1. 07	1. 20	1. 51	1. 76	2.08	2, 46	3. 15	3. 72	4. 03	4. 22	4. 66	4. 98	5. 23						
/5	56. 88	1. 02	1 00	1 37	1. 59	1 98	2 00	2. 99	3 26	3.84	3 81	4 91	4 40	4. 20	6. 29 5. 97		7. 42 7. 05			
/5	54, 04	92	1. 03	1. 30	1 51	1. 78	2 11	2 70	3. 19	3. 46	3 62	4. 00	4. 27	4 48	5. 67			7. 30	8. 11	
/5	51. 33	. 87	98	1. 23	1. 44	1.69	2 00	2. 57	3.03	3, 29	3.44	3.80	4.06	4. 26	5, 39	5, 75	6. 36		7. 70	
5	48, 77	. 83	. 93	1, 17	1. 37	1, 61	1.90	2, 44	2, 88	3, 12	3, 27	3, 61	3, 85	4. 05	5, 12		6. 05	6, 58	7. 32	8.
5	46. 83	. 79	. 88	1. 11	1.30 1.23	1, 53	1.81	2 32	2, 73	2.97	3. 10	3. 43	3. 66	3, 85	4. 86			6. 25	6, 95	
5	44.01	.75	70	1.00	1 17	1 20	1.72	2, 20	2, 60	2.82	2.95	3. 26	3. 48	3. 65	4. 62	4. 93				
/5	39, 72	68	75	95	1. 17 1. 11	1 31	1 55	1.90	2 34	2 54	2 66	2 94	3 14	3 30	4. 17	4, 45				
/5	37. 74	. 64	.72	. 91	1.06	1. 25	1. 47	1. 89	2. 23	2 42	2, 53	2, 79	2, 98	3, 13	3, 96		4, 68		. 5. 66	
/5	35, 85	. 61	. 68	. 86	1.06 1.00	1, 18	1,40	1.79	2. 12	2, 29	2, 40	2, 65	2, 83	2, 98	3, 76	4. 02	4. 45	4, 84	5. 38	
5	34, 06	. 58	. 65	.82	95	1. 12	1. 33	1.70	2,01	2.18	2. 28	2, 52	2.69	2, 83	3, 58	3, 81	4. 22	4, 60		
/5	32, 35 30, 74	. 55	. 61	.78	. 91	1.07	1. 26	1. 62	2. 01 1. 91 1. 81 1. 72	2.07	2, 17	2, 39	2, 56	2, 69	3, 40			4. 37		
/5	29, 20	. 50	. 55		82	90	1 14	1 46	1 72	1 87	1 96	2 18	2 31	2 49	3, 23	3, 44	3, 81	4, 15 3, 94		
5	27. 74	. 47	. 53	. 67	. 78	.92	1.08	1.39	1. 64	1. 78	1.86	2 05	2 19	2 30	2, 91	3, 11	3, 44		4. 16	
/5	26, 35	. 45	. 50	. 63	. 74	. 87	1.03	1.32	1.55	1.69	1.77	1.95	2.08	2, 19	2, 91 2, 77	2, 95	3, 27	3, 56	3, 95	
5	25, 63	. 43	. 48		. 70	. 83	. 98		1.48						2, 63		3, 10		3. 75	
5	23, 78	. 40	. 45		. 67	. 78			1. 40						2, 50	2, 66	2.95		3. 57	
5	22, 59	. 38	.43	. 54	. 63	.75	84	1. 107	1. 33	1 37	1. 01	1 50	1 70	1 78	2, 37	2, 53		3, 05		
5	20, 39	. 35	39		. 57	. 67			1. 20									2, 75		
5	19.37	. 33	. 37	. 46	. 54	. 64	.76	. 97	1. 14	1. 24	1.30	1.43	1. 53	1. 61	2, 03	2, 17	2,40	2, 62	2, 91	
5	18, 40	. 31	. 35		. 52		. 72	. 92	1.09	1. 18	1. 23	1. 36	1.45	1, 53	1. 93	2,06	2, 28	2, 48	2, 76	
5	17. 48	. 30	. 33	. 42	. 49	. 58	. 68	. 87	1.03	1. 12 1. 06	1. 17	1. 9	1. 38	1. 45	1.84	1.96		2, 36	2, 62	
5	16, 61 15, 78	. 28	.32	. 40	. 47		. 65		. 98	1.00	1.11	1. 23	1. 31	1. 38	1.74	1.86	2.06 1.96	2, 24 2, 13	2, 49 2, 37	3.
15	14. 99	. 25	. 28	. 36			. 58		. 88	. 96	1.00	1. 11	1. 18	1. 24		1. 68		2, 13		
/5	14. 24	. 24	. 27	. 34	40	. 47	. 56	. 71	. 84	. 91	. 95	1.05	1.12	1. 18	1.50	1. 59		1. 92	2, 14	
/5	13, 53	, 23	. 26	32		45		. 68	. 80	. 87	. 91	1.00	1.07	1. 12	1.42		1.68	1, 83	2, 03	2.
/5	12.85	. 22	. 24	. 31	. 36	. 42	. 50	. 64	. 76	. 82	- 86	95	1.02	1.07	1.35	1. 44	1. 59	1.73	1. 93	2,
's per bale.		12	10	8	6	5	4	3	3	2	2	2	2	2	1	1	1	1	1	1

BASE LIST AND NET PRICE DISCOUNT TABLE

DRY CLEANE	RORG	ARME	NT-DE	LIVERY	BAGS			PANTS	BAGS
Bag size	Net cost on	30"	36"	40"	50"	54"	60"	18 x 30	18 x 32
List price	\$100	12.50	14.80	16.60	19.90	21.50	23.90	10.40	11.00
1/595	95, 00 90, 25	11. 88 11. 28 10. 72	14, 06 13, 36 12, 69	15.77 14.98	18, 91 17, 96	20, 43 19, 40	22. 71 21. 57	9, 88 9, 39	10, 45 9, 93
8/5 4/5 5/5 6/5	85. 74 81. 45 77. 38 73. 51	10. 18 9. 67 9. 19	12. 05 11. 45 10. 88	14. 23 13. 52 12. 84 12. 20	17. 06 16, 21 15, 40 14, 63	18. 43 17. 51 16. 64 15. 80	20. 49 19. 47 18. 49 17. 57	8, 92 8, 47 8, 05 7, 64	9, 43 8, 96 8, 51 8, 09
7/5 8/5 9/5	69. 83 66. 34 63. 02	8, 73 8, 29 7, 88	10. 34 9. 82 9. 33	11. 59 11. 01 10. 46	13, 90 13, 20 12, 54	15. 01 14. 26 13. 55	16, 69 15, 86 15, 06	7, 26 6, 90 6, 55	7, 68 7, 30 6, 93
10/5 11/5 12/5	59, 87 56, 88 54, 04	7. 48 7. 11 6. 75	8. 86 8. 42 8. 00	9, 94 9, 44 8, 97	11, 91 11, 32 10, 75	12. 87 12. 23 11. 62	14. 31 13. 59 12. 91	6. 23 5. 92 5. 62	6. 59 6. 26 5. 94
3/5. 4/5. 5/5.	51. 33 48. 77 46. 33	6. 42 6. 10 5. 79	7. 60 7. 22 6. 86	8. 52 8. 10 7. 69	10, 22 9, 70 9, 22	11. 04 10. 49 9. 96	12. 27 11. 66 11. 07	5. 34 5. 07 4. 82	5. 65 5. 36 5. 10
16/5	44.01 41.81 39.72	5. 50 5. 23 4. 97	6, 51 6, 19 5, 88	7.31 6.94 6.59	8. 76 8. 32 7. 90	9, 46 8, 99 8, 54	10. 52 9. 99 9. 49	4, 58 4, 35 4, 13	4. 84 4. 60 4. 37
19/5 20/5 21/5	37. 74 35. 85 34. 06	4. 72 4. 48 4. 26	5, 58 5, 31 5, 04	6, 26 5, 95 5, 65	7. 51 7. 13 6. 78	8, 11 7, 71 7, 32	9. 02 8. 57 8. 14	3. 92 3. 73 3. 54	4. 15 3. 94 3. 75
22/5 23/5 44/5	32, 35 30, 74 29, 20 27, 74	4. 04 3. 84 3. 65 3. 47	4, 79 4, 55 4, 32 4, 11	5. 37 5. 10 4. 85 4. 60	6, 44 6, 12 5, 81 5, 52	6, 96 6, 61 6, 28 5, 96	7. 73 7. 35 6. 98 6. 63	3, 36 3, 20 3, 04 2, 88	3, 56 3, 38 3, 21 3, 05

LIQUOR BOTTLE BAGS

(Brown)

Discount table			
Size	34 pint	Pint	Quart
Base list	8.30	3.80	8.55
25/5	.91	1.05 1.00	1, 54 1, 46
27/5. 28/5. 20/5.	.91 .87 .83 .78 .74 .71	.95	1, 39 1, 32 1, 25
30/5	.71 .68 .64	. 86 . 82 . 77	1, 19 1, 13 1, 08
33/å.	62	.70	1.00

STANDARD MILLINERY AND NOTION BAGS BASE LIST AND NET PRICE DISCOUNT TABLES

Bag size	Net cost	4 x 634	5 x 73/2	614 x 914	7½ x 10½	8½x 11	10 x 13	12 x 15	15 x 18	17 x 21	21 x 24
List price	on \$100	1.15	1.45	2.05	2. 60	3. 00	4.00	5. 30	7.70	10.00	14. 50
5%	75. 00 71. 25	.86	1. 09 1. 03	1, 54 1, 46	1. 95 1. 85	2. 25 2. 14	3, 00 2, 85	3. 98 3. 78	5. 78 5. 49	7. 50 7. 13	10, 8
5-2/5	67, 69 64, 30 61, 09	.78 .74 .70	. 98 . 93 . 89	1, 39 1, 32 1, 25	1. 76 1. 67 1. 59	2. 03 1. 93 1. 83	2.71 2.57 2.44	3, 59 3, 41 3, 24	5. 21 4. 95 4. 70	6. 77 6. 43 6. 11	9.8 9.3 8.8
5-5/55-6/5	58, 03 55, 13	. 67	.84	1, 19	1. 51	1.74 1.65	2. 32 2. 21	3. 08 2. 92	4. 47 4. 25	6. 80 5. 51	8. 4 7. 9
5-7/5 5-8/5 5-9/5	52, 37 49, 75 47, 26	. 60 . 57 . 54	.76 .72 .69	1, 07 1, 02 .97	1, 36 1, 29 1, 23	1. 57 1. 49 1. 42	2. 09 1. 99 1. 89	2.78 2.64 2.50	4. 03 3. 83 3. 64	5. 24 4. 98 4. 73	7. 5 7. 2 6. 8
5-10/5	44. 90 42. 66	. 52	. 65	.92	a 1.17	1. 35 1. 28	1.80	2, 38 2, 26	3, 46 3, 28	4. 49	6, 5
25-12/5 25-13/5 25-14/5	40. 52 38. 50 36. 57	.47 .44 .42	. 59 . 56 . 53	.83 .79	1.05 1.00 .95	1. 22 1. 16 1. 10	1. 62 1. 54 1. 46	2.15 2.04 1.94	3, 12 2, 96 2, 82	4, 05 3, 85 3, 66	5. 8 5. 8 5. 3
5-15/5	34. 74 33. 00	. 40	. 50 . 48	.75 .71 .68 .64	.90	1.04	1.39 1.32	1.84 1.75	2. 67 2. 54	3, 47 3, 30	5. (
25-17/5 25-18/5 25-19/5	31, 35 29, 79 28, 30	.36 .34 .33	.45 .43 .41	. 64 . 61 . 58	.82 .77 .74	. 94 . 89 . 85	1. 25 1. 19 1. 13	1. 66 1. 58 1. 50	2. 41 2. 29 2. 18	3. 14 2. 98 2. 83	4. 8 4. 3 4. 1
5-20/5	26, 88	.31	.39	. 55	.70	. 81	1.08	1. 42	2.07	2, 69	3.

LIST AND DISCOUNT TABLE FOR HANDLE SHOPPING BAGS

lize	Net	1436 x 17	34-434	17 x 173	4-578	17 x 2	0-576
Basis wgt	cost on \$100	70	80	70	80	73	80
ist per M	1	36. 50	40, 00	41. 00	43, 50	43. 50	49. 0
/5	95, 00	34. 68	38, 00	38, 95	41, 33	41, 33	46, 8
/58	90, 25	32, 94	36, 10	37, 00	39, 26	39, 26	44. 2
/58	85, 74	31, 30	34, 30	35, 15	37, 30	37, 30	42.0
/58	81, 45	29, 73	32, 58	33, 39	35, 43	35, 43	39.5
/58	77, 38	28, 24	30, 95	31. 73	33, 66	33, 66	37.5
/5s	73, 51	26, 83	29, 40	30, 14	31, 98	31, 98	36.
/5s	69, 83	25, 49	27, 93	28, 63	30, 38	30, 38	34.
/58	66, 34	24, 21	26, 54	27, 20	28, 86	28, 86	32.
/5s	63. 02	23, 00	25, 21	25. 84	27, 41		
	59. 87	21, 85	23, 95	24, 55		27. 41	30.
0/58	56.88	20.76	22, 75		26.04	26. 04	29.
1/58				23, 32	24, 74	24, 74	27.
2/68	54. 04	19.72	21, 62	22. 16	23. 51	23, 51	26,
3/58	51. 33	18. 74	20. 53	21.05	22, 33	22, 33	25.
4/58	48. 77	17, 80	19, 51	20.00	21, 21	21, 21	23.
5/58	46. 33	16. 91	18. 53	19.00	20.15	20. 15	22.
6/5s	44. 01	16, 06	17.60	18, 04	19.14	19, 14	21.
7/5s	41.81	15. 26	16.72	17.14	18, 19	18, 19	20.
8/58	39, 72	14.50	15, 89	16, 29	17, 28	17, 28	19.
9/5s	37, 74	13, 78	15, 10	15, 47	16, 42	16, 42	18.
0/58	35, 85	13, 09	14, 34	14, 70	15, 59	15, 59	17.
1/58	34, 06	12, 43	13. 62	13, 96	14. 82	14, 82	16.
2/58	32, 35	11.81	12.94	13. 26	14. 07	14. 07	15.
3/58	30. 74	11, 22	12. 30	12.60	13. 37	13, 37	15.
4/58	29, 20	10.66	11. 68	11, 97	12.70	12.70	
5/58	27.74	10. 00	11. 10	1L 37	12.07	12.70	14.

FEDERAL REGISTER, Tuesday, November 24, 1942

STANDARD SACKS

	11 x 10	bbl. 94 x 4	16 bbl.	13½ x 2	4 x 494		34 bl	l. 17 x 29	14 x 6	
Basis weight	40#	50#	40#	50#	60#	40#	50#	60#	70#	80#
List price	14.40	17.50	20.20	23.90	28.60	31.20	37.70	42.70	50.00	56.00
1/5	13. 68	16, 63	19, 19	22.71	27. 17	29, 64	35. 82	40, 57	47. 50	53. 20
2/5	13.00	15. 79	18. 23	21, 57	25, 81	28. 16	34. 02	38. 54	45. 13	50. 54
3/5	12. 35	15.00	17. 32	20. 49	24. 52	26. 75	32. 32	36, 61	42.87	48.01
4/5	11. 73 11. 14	14. 25 13. 54	16. 45	19, 47 18, 49	23, 29 22, 13	25. 41	30, 71 29, 17	34. 78 33. 04	38, 69	45, 61 43, 33
5/5	10, 59	12.86	14. 85	17, 57	21. 02	22, 93	27, 71	31, 39	36. 75	41. 17
7/5	10, 06	12, 22	14. 11	16. 69	19. 97	21.79	26, 33	29, 82	34. 92	39, 11
8/5	9, 55	11, 61	13, 40	15, 86	18, 97	20, 70	25, 01	28. 33	33, 17	37, 15
9/5	9, 08	11. 03	12, 73	15, 06	18.03	19, 66	23. 76	26, 91	31. 51	35, 29
10/5	8, 62	10.48	12.09	14. 31	17, 12	18, 68	22, 57	25, 57	29, 94	33, 53
11/5	8, 19	9, 95	11, 49	13, 59	16. 27	17, 75	21, 44	24, 29	28, 44	31, 85
12/5	7.78	9.46	10.92	12.91	15. 45	16.86	20, 37	23, 07	27. 02	30, 26
13/5	7.39	8, 98	10, 37	12. 27	14. 68	16.02	19, 35	21.92	25. 67	28, 75
14/5	7.02	8, 53	9. 85	11,66	13. 95	15. 22	18, 39	20.82	24. 38	27, 31
15/5	6. 67	8, 11	9.36	11, 07	13, 25	14, 45	17. 47	19.78	23, 16	25. 94
16/5	6.34	7.70	8, 89	10, 52	12, 59	13. 73	16, 59	18. 79	22, 01	24. 65
17/5	6.02	7. 32	8. 45	9.99	11.96	13. 05	15. 76	17. 85	20, 91	23, 41
18/5	5.72	6.95	8.02	9, 49	11.36	12.39	14.97	16. 96	19.86	22. 24
19/5	5, 43	6, 60	7.62	9. 02	10.79	11.77	14. 23	16.11	18, 87 17, 92	21. 13
20/5	5, 16	5. 96	7. 24 6. 88	8. 57 8. 14	10. 25 9. 74	11. 18 10. 63	13. 51 12. 84	15, 31 = 14, 54	17. 92	19, 07
21/5	4, 66	5, 66	6, 54	7. 73	9, 25	10. 03	12, 20	13.81	16. 18	18, 12
23/5	4, 43	5, 38	6. 21	7, 35	8.79	9, 59	11. 59	13, 12	15, 37	17. 21
24/5	4, 20	5, 11	5, 90	6.98	8, 35	9, 11	11, 01	12.47	14, 60	16, 35
25/5	3, 99	4.85	5, 60	6, 63	7.93	8.65	10, 46	11.84	13.87	15. 53
26/5	3, 79	4. 61	5. 32	6.30	7.54	8. 22	9, 93	11. 25	13, 18	14. 76
27/5	3. 60	4.38	5.06	5. 98	7.16	7. 81	9, 44	10.69	12.52	14, 02
28/5	3, 42	4, 16	4.80	5, 68	6.80	7, 42	8, 97	10. 16	11.89	13, 32
29/5	3, 25	3, 95	4.56	5, 40	6, 46	7, 05	8, 52	9, 65	11.30	12, 65
30/5	3, 09	3.76	4.34	5. 13	6, 14	6.70	8, 09	9, 17	10, 73	12, 02
31/5	2.94	3, 57	4, 12	4,87	5, 83	6, 36	7.69	8.71	10, 20	11. 42
32/5	2.79	3, 39	3, 91	4, 63	5, 54	6, 04	7.30	8. 27	9, 69	10.85
33/5	2, 65	3, 22	3.72	4.40	5, 26	5. 74	6, 94	7.86	9. 20	10.30
34/5	2.52	3.06	3, 53	4. 18	5.00	5. 45	6, 59	7.47	8.74	9, 78
35/5	2, 39	2.91	3.35	3.97	4, 75	5. 18	6, 26	7.09	8, 30	9. 30
36/5	2, 27	2.76	3.19	3, 77	4. 51	4, 92	5, 95	6, 74	7, 89	8, 84

POULTRY SACKS

BUNDLE BAGS

	1/16 bbl. 1/2 x 19/6 x 43/5 143/2 x 21 x 43/4						1/6 bbl. 1	7 x 21 x 6	NAIL BAGS							
Basis weight	40#	50#	E0#	40#	50#	60#	Basis weight	50#	60#	Basis weight.	Size 3# BW 50#	5# 50#	10#	16#	20# 60#	25# 60#
List price	14. 80	18, 20	21, 90	18. 60	22, 60	26, 80	List price	27. 90	33. 00	List price	5, 55	6. 70	11. 95	16, 85	18, 00	19, 4
1/5. 2/5 3/5. 2/5 3/5. 3/5. 3/5. 3/5. 3/5. 3/5. 3/5. 3/	13. 36 2 12. 66 11 12. 66 11 13. 66 11 13. 66 11 13. 66 11 13. 67 12 12 12 12 12 12 12 12 12 12 12 12 12	16, 44 15, 64 14, 82 12, 77 12, 10, 12 11, 47 10, 13 11, 47 11, 10, 13 11, 17 11, 17 11, 17 11, 17 11, 17 11, 17 11, 17 11, 18 11, 18 1	19, 77 1 10, 11 10, 11 10, 11 11 11 11 11 11 11 11 11 11 11 11 11	16, 72 15, 181 14, 38 26, 12, 18 27, 18 28,	20, 44 (1) (1) (1) (1) (1) (1) (1) (1) (1) (1)	24. 19 22 98 22 18 33 20. 74 18 19 70 18 18 72 21 18 37 18 10 18 17 21 17 78 20 18 18 12 12 12 12 12 12 12 12 12 12 12 12 12	1/5	26, 51 25, 18 23, 92 22, 72 21, 59 20, 51 19, 48 18, 51 17, 58 14, 32 13, 61 11, 08 11, 08 10, 00 9, 50 9, 50 8, 15 7, 74 7, 74 7, 74 7, 74 7, 74 7, 74 8, 64 8, 6	31, 35 29, 78 28, 29 26, 83 24, 26 23, 05 21, 89 20, 76 18, 77 17, 83 16, 94 16, 94 16, 94 11, 83 11, 24 10, 68 10, 14 9, 65 7, 85 6, 73 6, 73 6, 73 5, 78 5, 48 5, 21	1/5. 2/5. 3/5. 4/6. 5/5. 3/5. 5/5. 6/5. 7/5. 8/5. 9/5. 10/5. 11/5. 12/5. 13/5. 14/5. 15/5. 16/5. 12/5. 13/5. 14/5. 15/5. 16/5. 20/6. 21/5. 22/5. 23/5. 28/5. 28/5. 28/5. 28/5. 28/5. 28/5. 30/5. 33/5.	5. 27 5. 01 4. 76 4. 52 4. 28 4. 28 3. 58 3. 38 3. 38 3. 36 3. 30 2. 85 2. 71 2. 57 2. 44 2. 32 2. 20 2. 20 2. 20 1. 89 1. 1. 54 1. 1. 54 1. 1. 54 1. 1. 54 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1	5. 46 4. 4. 4. 4. 4. 4. 4. 4. 4. 4. 4. 4. 4.	9, 25	16, 21 14, 46 13 14, 14 14 14 14 14 14 14 14 14 14 14 14 14	16. 22 4. 60 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1.	17. 16. 15. 14. 18. 12. 11. 11. 10. 9. 9. 8. 8. 7. 7. 6. 6. 6. 5. 5. 5. 5. 4. 4. 4. 4. 3. 3. 3. 3. 3. 3. 3. 3. 3. 3. 3. 3. 3.

STIGAR BAGS EXTRA HEAVY DUTY AUTOMATIC BAGS

Bag size	1#	2#	3#	4#	5#	6#	8#	10#	12#	14#	16#	20#	25#
Basis weight	£0#	50#	50#	50#	50#	50#	60#	60#	60#	60#	60#	60#	60#
List price	3, 90	5.00	6, 10	6, 90	8,00	9. 40	12, 45	14. 90	16, 85	19, 85	21. 80	23. 45	25, 95
1/5	3.71 3.52 3.34 3.18 3.18 3.02 2.87 2.259 2.46 2.211 2.00 1.81 1.72 2.11 2.00 1.81 1.73 1.53 1.55 1.26 1.20 1.20 1.20 1.20 1.20 1.20 1.20 1.20	4,75 4,51 4,29 4,07 3,68 3,32 3,32 3,32 2,84 2,29 2,20 2,20 1,79 1,70 1,70 1,10 1,10 1,10 1,10 1,10 1,10	5.80 5.51 5.23 4.97 4.72 4.48 4.05 3.44 9.6 3.84 9.6 3.13 2.68 3.2 8.3 2.68 8.47 2.83 2.19 2.08 8.97 1.88 1.45	6, 56 6, 23 5, 92 5, 6, 62 5, 34 4, 50 7, 4, 82 4, 58 4, 13 3, 73 3, 20 4, 2, 89 2, 89 2, 20 1, 82 2, 20 2,	7. 60 7. 22 6. 86 6. 19 5. 88 6. 19 5. 89 5. 30 4. 79 4. 32 4. 32 4. 39 3. 31 3. 32 2. 72 2. 50 6. 22 2. 21 1. 17 2. 11 2. 11 2. 11 3. 11	8, 93 8, 48 8, 66 7, 27 6, 91 6, 91 6, 56 6, 24 1, 56 5, 92 5, 63 5, 92 5, 63 5, 53 5, 53	11, 83 11, 24 10, 67 10, 14 9, 63 9, 15 6, 69 8, 26 7, 45 7, 45 7, 45 6, 73 6, 07 5, 74 4, 76 4, 24 4, 76 4, 24 4,	14. 16 13. 45 12. 77 12. 14 11. 53 10. 95 10. 95 8. 92 8. 92 8. 8. 05 7. 27 6. 90 6. 23 5. 62 5. 62 5. 62 6. 23 5. 62 6. 23 5. 62 6. 23 7. 27 6. 90 7. 27 7. 27 8. 92 8. 93 8. 93 8 93 8 93 8 93 8 8 93 8 93 8 8 93 8 93 8 8 8 93 8	16, 01 15, 21 14, 45, 13, 72 13, 04 12, 39 9, 11, 77 11, 18 10, 62 10, 09 9, 59 9, 11 8, 65 8, 22 7, 81 10, 65 6, 36 6, 36 6, 36 6, 36 6, 45 1, 42 4, 92 4, 91 1, 13 1, 14 1,	18. £6 17. 91 17. 02 16. 17 15. 36 14. 59 10. 19 10. 19 10. 19 10. 19 10. 19 10. 19 10. 50 10. 6 10. 19 10. 6 10.	20, 71 19, 67 18, 69 17, 76 16, 87 16, 03 11, 19 11, 78 11, 19 10, 63 10, 10 10, 63 10, 10 10, 63 10, 10 10, 63 10, 10 10, 63 10, 10 10, 63 10, 10 10, 10 10 10, 10 10 10, 10 10 10, 10 10 10, 10 10 10 10 10 10 10 10 10 10 10 10 10 1	22, 28 21, 16 20, 11 19, 10 18, 15 17, 24 16, 38 15, 58 14, 78 14, 04 13, 34 12, 67 14, 10, 32 9, 80 10, 32 9, 80 11, 44 11, 44	24. 04 22. 22. 22. 22. 22. 22. 22. 22. 22. 22

§ 1347.314 Effective dates of amend-

(d) Amendment No. 3 (§§ 1347.305 (a), 1347.306, 1347.307, 1347.308a, 1347.311 (a) (2) and (3), 1347.315, 1347.316 and 1347.317) to Maximum Price Regulation No. 182 shall become effective November 27, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250. 7 F.R. 7871)

Issued this 20th day of November 1942. LEON HENDERSON, Administrator.

[F. R. Doc. 42-12193; Filed, November 20, 1942; 3:42 p. m.]

PART 1390-MACHINERY AND TRANSPORTA-TION EQUIPMENT

[MPR 136 as Amended, Amendment 53]

MACHINES AND PARTS AND MACHINERY SERVICES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

*Copies may be obtained from the Office of Price Administration.

New subparagraph (40) is added to § 1390.25 (c) and new paragraph (bbb) is added to § 1390.31a as set forth below:

§ 1390.25 Petitions for amendment or adjustment. * * *

(c) Amendments. * * *

(40) Machines and parts containing silver. Notwithstanding any other provision of this Maximum Price Regulation No. 136, as amended, the maximum price applicable to the sale and delivery of any machine or part containing silver may be increased by the sum of 9.625¢ per fine troy ounce of silver contained in such machine or part: Provided, That no overhead, margin or profit factor be applied to such increase: And provided further. That where the provisions of this Maximum Price Regulation No. 136, as amended, already permit a seller to reflect in his maximum price the increase in the cost of a machine or part containing silver (See § 1390.7 (c) (3) (i) and § 1390.10 (c)), no additional allow-ance may be added by such seller.

§ 1390.31a Effective dates of amendments.

(bbb) Amendment No. 53 (§ 1390.25 (c) (40)) to Maximum Price Regulation No. 136, as amended, shall become effective November 25, 1942.

(Pub. Laws No. 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871).

Issued this 20th day of November 1942. LEON HENDERSON, Administrator.

[F. R. Doc. 42-12191; Filed, November 20, 1942; 3:42 p. m.]

PART 1390-MACHINERY AND TRANSPORTA-TION EQUIPMENT

[MPR 136, as Amended, Amendment 54]

MACHINES AND PARTS AND MACHINERY SERVICES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

In paragraph (a) of § 1390.7, subparagraph (4) is amended, and new subparagraph (8) is added; in paragraph (c) of § 1390.7, subdivision (i) of subparagraph (3) is amended; in § 1390.11, paragraphs (b), (c) and (d) are amended, paragraph (e) is redesignated (f), and a new paragraph (e) is added; in § 1390.16 paragraphs (a) and (b) are amended; in § 1390.26 new paragraph (c) is added; in § 1390.32 one item is amended and a new item is added in paragraph (c), one item is amended and two new items are added in paragraph (g), a new item is added in paragraph (h), two items in paragraph (i) are amended, and paragraph (j) is amended; and in § 1390.33 three items are amended in paragraph (c), all as set forth below:

§ 1390.7 Maximum prices: sales by the manifacturer of machines or parts without list prices. * * *

(a) Pricing formula. * * *

(4) To the extent that the price-determining method includes or is based on prices paid for subcontracted services, whether machinery services or otherwise, the manufacturer shall use actual prices paid or to be paid for such subcontracted services, not in excess of applicable maximum prices:

(8) To the extent that the price-determining method includes or is based on prices paid for perishable tools, dies, molds, patterns, or work-holding devices, the manufacturer shall use actual prices paid or to be paid for such items, not in excess of maximum prices provided by this Maximum Price Regulation No. 136. as amended, determined in accordance with paragraph (c) (4) below.

(c) Material prices. * * *

(3) *

(i) For any part or subassembly purchased, the manufacturer shall use the actual price for such part or subassembly paid or to be paid, not in excess of the applicable maximum price. For the purposes of this paragraph, the term "parts and subassemblies" means, in addition to products covered by Maximum Price Regulation No. 136, as amended, products covered by Revised Price Schedule No. 82-Wire, Cable and Cable Accessories, No. 105-Gears, Pinions, Sprockets and Speed Reducers, Maximum Price Regulation No. 119-Original Equipment Tires and

¹⁷ F.R. 5047, 5362, 5665, 5908, 6425, 6682, 6899, 6964, 6965, 6937, 6973, 7010, 7246, 7320, 7365, 7509, 7602, 7739, 7744, 7907, 7912, 7945, 7944, 8198, 8362, 8433, 8479, 8520, 8652, 8707, 8897, 9001, 8948, 9040, 9041, 9042, 9053, 9054.

Tubes, No. 147-Bolts, Nuts, Screws, and Rivets, and No. 149-Mechanical Rubber Goods, and materials bought on an installed basis in the process of erection of a machine or parts sold on an erected and

§ 1390.11 Maximum prices: sales of second-hand machines and parts.

(b) The price for any rebuilt and guaranteed machine or part shall not be more than eighty-five percent of the highest maximum price to any class of purchasers for the nearest equivalent new machine or part f. o. b. factory, whether established by this Maximum Price Regulation No. 136, as amended, or by any other price schedule or maximum price regulation or order issued by the Office of Price Administration. A "rebuilt and guaranteed" machine or part is one in which all worn or missing components which should be replaced or repaired for satisfactory operation, if any, have been replaced or repaired, and which carries a binding guaranty of satisfactory operation for a period of not less than sixty days, and which is expressly invoiced as a rebuilt and guaranteed machine or part or its equivalent. In the event of a sale by a governmental agency, such agency may substitute for the guaranty a certification by a qualified person who is not engaged in the business of selling secondhand machines and parts and who is approved by the purchaser, to the effect that all worn or missing components which should be replaced or repaired for satisfactory operation, if any, have been replaced or repaired.

(c) The price for any other secondhand machine or part shall not be more than fifty-five percent of the highest maximum price to any class of purchasers for the nearest equivalent new machine or part f. o. b. factory, whether established by this Maximum Price Regulation No. 136, as amended, or by any other price schedule or maximum price regulation or order issued by the Office

of Price Administration.

(d) In quoting, contracting, invoicing, or billing any second-hand machine or part for which a maximum price is provided in paragraphs (b) or (c), the seller may add to the maximum price the amount of any tax upon the sale or delivery of such machine or part, and shall bill any such tax separately from the price of such machine or part.

(e) In general, the maximum price for any second-hand machine or part provided in paragraph (b) or (c) of this section is the price f. o. b. the seller's place of business. In any case where a machine or part is actually sold on an "as-is where-is" basis the seller shall reimburse the buyer for the actual cost of dismantling and loading up to 10% of the maximum price determined in accordance with paragraph (c) of this section

§ 1390.16 Federal and state taxes. (a) Any tax levied by any statute of the United States or statute or ordinance of any state or subdivision thereof which the seller on October 1, 1941, added to the price paid by the purchaser shall not be included in the maximum price but

may be collected by the seller in addition to the maximum price if such tax is stated separately from the purchase price, except that such tax need not be stated separately if it is measured by the seller's cost of such machine or part.

(b) Any tax upon the sale or delivery of a machine or part and any compensating use tax upon a machine or part levied by any statute of the United States or statute or ordinance of any state or subdivision thereof and becoming effective on or after October 1, 1941, may also be collected by the seller making such taxable sale or delivery in addition to the maximum price if such tax is stated separately from the purchase price, unless the seller had increased his price on or before October 1, 1941, to reflect such new or increased tax, except that such tax need not be stated sep-arately if it is measured by the seller's cost of such machine or part.

§ 1390.26 Records and additional or substituted reports. * * *

(c) Reports on products brought under this Maximum Price Regulation No. 136, as amended. Notwithstanding any other provisions of this Maximum Price Regulation No. 136, as amended, whenever the sale or rental of any products or services are brought within the scope of this Maximum Price Regulation No. 136, as amended, after the effective date thereof by amendment or otherwise, the reports required by this Maximum Price Regulation No. 136, as amended, in § 1390.5 (b) shall be filed within thirty days after the effective date of such amendment, and the reports provided for in § 1390.10 (b) may be filed within thirty days after such effective date.

§ 1390.32 Appendix A: Machines and parts to which the October 1, 1941, date is applicable. *

(c) Processing machinery and equipment: * *

Chemical process machinery.

Electroplating and hot-dip metal coating equipment, including preparatory and finishing equipment used in connection with metal coating processes.

(g) Auxiliary equipment: * * * Heat exchange equipment, industrial.

Open tanks and vessels (except field erected tanks or vessels; domestic fuel oil storage tanks; products commonly known as plumbing fixtures, such as flush tanks and laundry trays; products commonly known as pans and cans, such as pails, buckets, nonreturn-able shipping containers, refuse receptacles, drip receivers, and waste receivers)

Pressure tanks (except field erected tanks; high pressure cylinders not over 1,000 lbs. water capacity for shipping or storing liquids or gases at pressures up to 3,000 lbs. per square inch; range boilers or expansion tanks not over 192 gal. capacity, made of metal not over 12 B W G gauge).

* (h) Miscellaneous: * * *

Industrial power-operated devices for applying protective coatings or for the application of metals by spraying methods.

(i) Miscellaneous parts and subassemblies, etc.:

Anti-friction bearings, except automotive. Chains, sprocket, and roller and silent, except automotive.

(i) Parts and subassemblies of any items set forth in paragraphs (a) through (i) inclusive of this Appendix A when manufactured by the manufacturer of the complete item. (This paragraph applies to any such part or subassembly, even when it is of a type listed in paragraph (c) of § 1390.33, and even though it may in some cases be incorporated in items other than those set forth in paragraphs (a) through (i) inclusive of this Appendix A).

§ 1390.33 Appendix B: Machines and parts to which the March 31, 1942, date is applicable. * *

(c) Miscellaneous: * * - 46

Dies, molds, and patterns. Gaskets and packing, except automotive. Screw machine products (this shall not include bolts, nuts, screws, and rivets, as defined in Maximum Price Regulation No. 147. The sales of these are subject to Maximum Price Regulation No. 147 or the General Maximum Price Regulation, depending upon the type of seller).

§ 1390.31a Effective dates of amend-

(ccc) Amendment No. 54 (§§ 1390.7 (a) (4) (8) and (c) (3) (i), 1390.11 (b) (c) (d) and (e), 1390.16 (a) and (b), 1390.26 (c), 1390.32 (c) (g) (h) (i) and (j), 1390. 33 (c)) to Maximum Price Regulation No. 136, as amended, shall become effective November 25, 1942.

(Pub. Laws 421, 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 20th day of November 1942. LEON HENDERSON, Administrator.

[F. R. Doc. 42-12192; Filed, November 20, 1942; 3:42 p. m.]

PART 1394-RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 5A,1 Amendment 17]

GASOLINE RATIONING REGULATIONS

A Rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1394.1402, and paragraph (d) of § 1394.1506, are amended; a new paragraph (e) to § 1394.1201 is added; and a new paragraph (r) has been added to § 1394.1902; as set forth below:

Renewal of Rations and Issuance of Further Rations

§ 1394.1201 Renewal of rations. * * * (e) When issuing a further service ration or ration represented by Class S coupons, the Board shall allow only the

^{*}Copies may be obtained from the Office of Price Administration.

17 F.R. 5255, 5362, 5426, 5566, 5605, 5666, 5674, 5942, 6267, 6684, 6776, 7510, 7399, 7748, 7811, 7907, 8708, 8808, 9434.

mileage required for the operation of the vehicle through November 30, 1942.

Expiration and Revocation of Rations

§ 1394.1402 Expiration of rations. All basic rations shall expire at midnight July 21, 1943. All other rations shall expire at midnight of the date noted on the application therefor or on the coupon books issued therefor, except that Service ration books and coupons may continue to be used through November 30, 1942 irrespective of the expiration date fixed for such rations.

Restrictions on Transfers

§ 1394.1506 Emergency transfer. * * * (d) Any Regional Administrator of the Office of Price Administration who finds that there has been such delay in the issuance of further rations as of November 22, 1942, as to jeopardize the movement of trucks, busses or other essential vehicles for which no basic ration is issuable, may by declaration designate the States within his region in which such delay has occurred and specify the types of vehicles affected thereby. Such declaration shall continue in effect until November 30, 1942 or such earlier date as he may determine. During the effective period of such declaration, the operator of a vehicle of a type specified therein, licensed in a state designated therein, may acquire gasoline in the rationed area for use in such vehicle by signing an emergency receipt on Form OPA R-555, in duplicate: Provided, That gasoline may be so acquired for a vehicle only during the interval between the date of application for a further ration for such vehicle and the date of receipt or denial of such ration. Any dealer who has made a transfer of gasoline in exchange for an emergency receipt pursuant to this paragraph shall transmit such receipt, in duplicate, to the Board having jurisdiction over the area in which his place of business is located and such Board shall issue inventory coupons to him, in exchange for such receipt, in accordance with the procedure specified in paragraph (c) of this section.

* Effective Date

§ 1394.1902 Effective dates of amendments.

(r) Amendment No. 17 (§§ 1394.1201 (e), 1394.1402, and 1394.1506 (d)) shall become effective November 20, 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 507, and 421, 77th Cong., W.P.B. Dir. No. 1, Supp. Dir. No. 1H, 7 F.R. 562, 3478, 3877, 5216)

Issued this 20th day of November 1942. LEON HENDERSON. Administrator.

|F. R. Doc. 42-12195; Filed, November 20, 1942; 4:47 p. m.]

TIFLE 32 NATIONAL DEFENSE

Chapter XI-Office of Price Administration

PART 1418-TERRITORIES AND POSSESSIONS [MPR 183,1 Amendment 10]

PUERTO RICO

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Subparagraph (11) is added to paragraph (a) of § 1418.1 and paragraphs (k), (l), (m), (n), (o) and (p) are added to § 1418.14.

§ 1418.1 Maximum prices. (a) Maximum prices are established as follows:

(11) On and after November 21, 1942, regardless of any contract, agreement, lease or other obligation, or of any price regulation heretofore issued, no person shall sell or deliver, and no person shall buy corn meal, certain cereals, certain packing house products, garlic and cheese in the Territory of Puerto Rico at prices higher than the maximum prices set forth in § 1418.14 (k), Table XI; (b), Table XII; (m), Table XIII; (n), Table XIV; (o), Table XV; and no person shall offer, solicit, or attempt to do any of the foregoing.

§ 1418.14 Tables of maximum prices.

(k) Table XI: Specific maximum prices for corn meal.

	Sales to	Sales at	Sales at	
	wholesalers	wholesale	retail	
Corn meal	Price per 98-lb. bag \$3.10	Price per 98-lb, bag \$3, 35	Price per	

For sales of different quantities the maximum price shall be proportionately

(1) Table XII: Specific maximum prices for certain cereals.

	Sales to wholesalers	Sales at wholesale	Sales at retail	
Rolled oats	Price per case 36/20 oz. \$2, 92	Price per case 36/20 oz. \$3. 25	Price per 20 oz. package \$0.11	
Wheat flakes	Price per case 24/8 az. \$2, 10	Price per case 24/8 oz. \$2,35	Price per 8 oz. package \$0.12	
Farina	Price per case 12/28 oz. \$1.56	Price per case 18/28 oz. \$1.75	Price per 28 62. package \$0. 17	
Corn flakes	Price per case 36/6 oz. \$2. 24	Price per case 36/6 oz. \$2.55	Price per 6 oz. package \$0.09	

*Copies may be obtained from the Office

of Price Administration. 17 F.R. 5620, 6744, 6659, 7454, 7843, 7945, 8558, 8833, 8946, 9341.

For sales of different quantities the maximum price shall be proportionately computed.

(m) Table XIII: Specific maximum prices for certain packing house products.

	Sales to whole- salers	Sales at whole- sale	Sales at retail	
	Price per	Price per	Price per	
Lard pork fat rendered. Pure refined lard in	\$14. 50	\$15.75	\$0.18	
Pure refined lard in	16. 25	17. 50	.20	
cases 56# Pure refined lard in 34#	16.00	17. 25	. 20	
to 37# tins	16, 50	17.75	. 20	
tails	14.00	15, 15	.18	
Pork spare ribs	21, 00	23, 00	. 27	
Pork snouts	11, 00	12, 00	.15	
Pickled picnic hams	30, 00	33, 00	.40	
Beef pickled or jerked	21, 25	22, 75	. 27	

For sales of different quantities the maximum price shall be proportionately computed.

(n) Table XIV: Specific maximum prices for garlic.

	Sales to	Sales at	Sales at
	wholesalers	wholesale	retail
Garlie	Price per 50 lb. bag \$2.83	Price per 50 lb, bag \$3, 20	Price per lb. \$0.08

For sales of different quantities the maximum price shall be proportionately computed

(o) Table XV: Specific maximum prices for cheese.

125 115 3	Sales to	Sales at	Sales at
	wholesalers	wholesale	retail
Natural American Cheddar	Price per 100 lbs. \$29, 00	Price per 100 lbs. \$31. 25	Price per lb. \$0.38

For sales of different quantities the maximum price shall be proportionately computed.

(p) Every person selling any of the commodities listed in paragraphs (k) to (o), inclusive, of this section, to a retailer on and after November 21, 1942, before or at the time of his first delivery to each purchaser shall supply the purchaser with a statement of the maximum retail prices set forth above for the commodity or commodities delivered.

§ 1418.13a Effective dates of amendments. *

(j) Amendment No. 10 (§§ 1418.1 (11), 1418.14 (k), (l), (m), (n), (o) and (p)) to Maximum Price Regulation No. 183 shall become effective November 21, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 20th day of November 1942. LEON HENDERSON, Administrator.

[F. R. Doc. 42-12194; Filed, November 20, 1942; 4:47 p. m.]

PART 1499-COMMODITIES AND SERVICES [Amendment 37 to GMPE 1]

LICENSING, ETC.

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

The text of § 1499.16 is designated as paragraph (b) and is titled "License granted" and a new paragraph (a) is added, to read as set forth below:

§ 1499.16 Licensing-(a) License required. A license as a condition of selling is required of every person selling at wholesale or retail any commodity or service for which a maximum price is established by the General Maximum Price Regulation or by any other price regulation of the Office of Price Administration. No person whose license is suspended in proceedings under section 205 (f) (2) of the Emergency Price Control Act of 1942 shall, during the period of suspension, sell any commodities or services as to which his license to sell is suspended.

(b) License granted. * * *

§ 1499.23a Effective date of amendments.

(II) Amendment No. 37 (§ 1499.16) to General Maximum Price Regulation shall become effective November 25, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 20th day of November 1942. LEON HENDERSON. Administrator.

[F. R. Doc. 42-12190; Filed, November 20, 1942; 3:42 p. m.]

PART 1307-RAW MATERIALS AND COTTON TEXTILES

[RPS 7, Amendment 72]

COMBED COTTON YARNS AND THE PROCESSING THEREOF

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

In § 1307.12 paragraph (d) (4) (iii) is amended; a proviso is added to inferior subdivision (d) of paragraph (d) (4)

§ 1307.12 Appendix A: Maximum prices for combed yarns and mercerizing, bleaching and/or gassing thereof. * *

(d) Maximum prices for combed yarns not covered by contract prior to December 24, 1942, and for mercerizing, bleaching and/or gassing.

*Copies may be obtained from the Office of Price Administration, 17 FR. 3153, 3330, 3666, 3990, 3991, 4339,

4487, 4659, 4738, 5027, 5276, 5192, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6794, 6939, 7093, 7322, 7758, 7913,

7454, 8431, 8881, 9004, 8942. 27 F.R. 1221, 2277, 2393, 2509, 2737, 3160, 3551, 3664, 5481, 8948, 2000, 2132.

(4) Premiums. * * *

(iii) Jobbers. A jobber 10 may:

(a) (1) Sell to a given customer broken-case 104 lots of combed yarn in quantities of 1,500 pounds or less per calendar month at a premium of 10 per cent and in quantities in excess of 1,500 pounds per calendar month at a premium of 5 per cent: Provided, That in no event shall sales of broken-case lots at a premium, irrespective of quantity per sale, exceed 15,000 pounds in any calendar month to all of the seller customers.

(2) Sell combed yarn in lots of 1 to 3 unbroken cases at a premium of 5 per cent: Provided, That except as set forth below no jobber may avail himself of this premium on that portion of his sales in any calendar month which is in excess of 3,000 pounds to the same customer or 20,000 to all his customers.

(b) On lots of 1 to 3 unbroken cases, the following concerns may avail themselves of the premium set forth in (a) (2) above on that portion of their respective sales of combed yarn in any calendar month which is not in excess of the amounts set forth below:

Name	Permissible amount to any given customer	Permissible amount to all customers
Thos. D. Toy & Co., 118 East 25th St., New York, N. Y	Pounds 5,000	Pounds 60,000
Ernest W. Hayward & Co., 407 Fourth Ave., New York, N. Y. Meyer & Rasmaussen, Inc., 221-	3, 000	40,000
227 Fourth Ave., New York, N. Y.	5,000	50, 000

(vii) Other premium yarns; * (d) * *

Provided: That a producer other than the one who spins the yarn or has it spun for his account need not report those special features for which the spinner has charged a premium under (a), (b), or (c) above.

§ 1307.11 Effective dates of amendments. * * *

(o) Amendment No. 7 (§ 1307.12 (d) (4) (iii) and (vii)) to Revised Price Schedule No. 7 shall become effective November 27, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.)

Issued this 21st day of November 1942.

LEON HENDERSON, Administrator.

[F. R. Doc. 42-12267; Filed, November 21, 1942; 12:36 p. m.]

¹⁰ As used herein, "jobber" means a person at least 75 per cent of whose sales of combed yarn during the calendar month preceding any given transaction consisted of stock yarn sales. See footnote 1 for definition of "stock

10a As used herein the term broken case means a case from which at least 25 per cent of the contents have been removed.

PART 1347-PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PROD-UCTS, PRINTING AND PUBLISHING

[MPR 30]

WASTEPAPER

The preamble and §§ 1347.1 to 1347.10 inclusive of Revised Price Schedule No. 30-Wastepaper-are amended, renumbered, and reissued as Maximum Price Regulation No. 30-Wastepaper.

In the judgment of the Price Administrator, it is necessary and proper to establish maximum prices for sales of wastepaper by a maximum price regu-

In the judgment of the Price Administrator, the maximum prices established by this regulation, which apply to the sale of wastepaper, are generally fair and equitable and are necessary to check inflation and to effectuate the purposes of the Emergency Price Control Act of 1942 as amended.

So far as practicable the Price Administrator has consulted with representa-tives of the trade and industry. He has found that the issuance of this regulation conforms to the standards of the Act.

A statement of considerations involved in the issuance of this regulation is issued simultaneously herewith and filed with the Division of the Federal Register.*

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, amended, and Executive Order No. 9250 this Maximum Price Regulation No. 30 is hereby issued.

Sec.

1347.1 Prohibitions. 1347 2

1347.3

Less than maximum prices.

Applicability of the General Maximum Price Regulation.

1347.4 Export sales and sales for export.

1347.5

Imports.
Petitions for amendment. 1347.6

Licensing.

1347.8 Evasion.

1347.9 Enforcement. 1347.10 Records and reports.

1347.11 Definitions.

1347.12 Applicability. 1347.13

Effective date.

Appendix A: Maximum prices for 1347.14 wastepaper.

AUTHORITY: §§ 1347.1 to 1347.14, inclusive, issued under Pub. Laws 421 and 729, 77th Cong.; E. O. 9250, 7 F.R. 7871.

§ 1347.1 Prohibitions. Regardless of any contract, agreement, lease or other obligation:

(a) No person shall sell or deliver any wastepaper at higher prices than the maximum prices set forth in Appendix A (§ 1347.14) of this Maximum Price Regulation No. 30.

(b) No person shall buy or receive any wastepaper at higher prices than the maximum prices set forth in Appendix A (§ 1347.14) of this Maximum Price Regulation No. 30.

(c) No person shall agree, offer, solicit, or attempt to do any of the foregoing.

§ 1347.2 Less than maximum prices. Lower prices than those established by this Maximum Price Regulation No. 30 may be charged, demanded, paid or offered.

§ 1347.3 Applicability of the General Maximum Price Regulation. The provisions of this Maximum Price Regulation No. 30 supersede the provisions of the General Maximum Price Regulation with respect to sales and deliveries of wastepaper for which maximum prices are established by this regulation.

§ 1347.4 Export sales and sales for export. The maximum price at which a person may export wastepaper shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation issued by the Office of Price Administration. The maximum prices at which a person may make a domestic sale of wastepaper which is to be exported shall not exceed the maximum prices herein provided for domestic sales: Provided, however, That persons specially packaging wastepaper for export and selling the same to a purchaser who warrants in writing that the wastepaper so backed will be sold in export, may add to the maximum price an amount not in excess of the highest premium actually charged for the same or similar packing by such person during the period of January 1 through September 30, 1941. If a person made no such charge for such packing in said period, the amount of his charge for such packing shall not exceed the amount charged in said period by his nearest and most closely competitive seller in said period.

§ 1347.5 Imports. The maximum prices established herein shall apply to imports of wastepaper from a foreign country, f. o. b. the port or city of entry in the United States.

§ 1347.6 Petitions for amendment. Persons seeking any modification of this Maximum Price Regulation No. 30 may file petitions for amendment in accordance with the provisions of Revised Procedural Regulation No. 1² issued by the Office of Price Administration.

§ 1347.7 Licensing. The provisions of Supplementary Order No. 5 —Licensing, are applicable to every dealer and broker subject to this Maximum Price Regulation No. 30, selling, offering to sell, delivering or transferring at a price wastepaper to a consumer.

§ 1347.8 Evasion. The price limitations set forth in this Maximum Price Regulation No. 30 shall not be evaded, whether by direct or indirect methods, in connection with any offer, solicitation, agreement, sale, delivery, purchase or receipt of wastepaper, alone or in conjunction with or relating to any other commodity or by way of commission, service, transportation, or other charge, or discount, premium or other privilege or tying agreement, or other trade understanding or otherwise.

§ 1347.9 Enforcement. (a) Persons violating any provision of this Maximum Price Regulation No. 30 are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided for by

the Emergency Price Control Act of 1942 as amended.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 30 or any price schedule, regulation or order issued by the Office of Price Administration, or any acts or practices which constitute such a violation, are urged to communicate with the nearest District, State, Field or Regional Office of the Office of Price Administration or its principal office in Washington, D. C.

§ 1347.10 Records and reports. (a) Every person who has been required under Revised Price Schedule No. 30 to keep records for inspection by the Office of Price Administration shall preserve such records for so long as the Emergency Price Control Act of 1942 shall remain in effect.

(b) Every person making purchases or sales of commercially packed wastepaper shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942 shall remain in effect, complete and accurate records of each purchase or sale of wastepaper showing the following:

(1) Date of purchase or sale.

(2) Name and address of the buyer or seller.

(3) Grade of wastepaper purchased or sold.

(4) Quantity of each grade purchased or sold.

(5) Prices paid or received.

(6) Warranties, if any, given or received.

Such records shall set forth separately the f. o. b. point of shipment price, the origin and destination of the shipment, the means of transportation used, the amount of the transportation charge, and any other amounts paid or received in connection with such sale.

(c) Persons required to keep records shall submit such eports to the Office of Price Administration and shall keep such other records in addition to or in place of the records required in paragraphs (a) and (b) of this § 1347.10 as the Office of Price Administration may from time to time require or permit.

§ 1347.11 Definitions. (a) When used in this Maximum Price Regulation No. 30, the term:

(1) "Person" means an individual, corporation, partnership, association, any other organized group of persons, the legal successor or representative of any of the foregoing, and includes the United States, any agency thereof, any other government, or any of its political subdivisions, and any agency of any of the foregoing.

(2) "Wastepaper" includes papers and paper products which have been used or discarded, or which result as by-products from a manufacturing or conversion operation, or which are sold for reuse in a manufacturing or conversion operation involving repulping, shredding, or grinding.

(3) "Consumer" means a person who acquires wastepaper for use in the manufacturing process conducted by him.

(4) "Dealer" means a person who acquires wastepaper for the purpose of sale as wastepaper.

(5) "Commercially packed" means packed in machine compressed bales or by an optional method of packing where such method is allowed in the definition of a grade.

(6) "Objectionable papers" include carbon, waxed, paraffined, oil treated, greased, glazed, parchment, asphalt, tar, tympan, and used wall paper, friction board, cloth book-covers, heavy cores, pressboard, used bill board stock, paper-wrapped excelsior, felt furniture pads, paper twine, uncut printer's rolls, and paper strings.

(7) "Foreign materials" include every non-paper substance that cannot be manufactured into paper or paper products by the processes normally used for wastepaper, including, but in no way limited to cellophane, rags, rubbers, strings, vulcanized fiber, metals, and rubbish of all kinds.

(8) "Out-throw" for a given grade of wastepaper consists of all substances not suitable for the manufacture of paper or paperboard such as "Objectionable papers" and "Foreign materials", and all papermaking materials present in the packing that do not meet the requirements of the applicable definition for the grade. In the book, magazine and ledger grades "Out-throw" includes books, magazines and papers containing groundwood.

(9) "Manila", whenever used in the definitions set forth in § 1347.14 of this Maximum Price Regulation No. 30, refers to a color and finish of paper obtained by the natural undyed or very lightly tinted color of the woodpulp employed in the manufacture of the paper, such color and finish being comparable to that secured in paper manufactured from manila hemp or rope.

(10) "One cut" as applied to wastepaper means wastepaper of one color, shade, basis weight and finish resulting from one run in a process of conversion.

(11) "Broker", commonly known as a wastepaper broker, means any person who sells to consumers wastepaper not packed by such person, and purchased by such person in the condition in which it is to be delivered to the consumer.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

§ 1347.12 Applicability. The provisions of this Maximum Price Regulation No. 30 shall be applicable to the continental United States and the District of Columbia, but not to the territories and possessions of the United States.

§ 1347.13 Effective date. This Maximum Price Regulation No. 30 (§§ 1347.1 to 1347.14 inclusive) shall become effective November 27, 1942.

§ 1347.14 Appendix A: Maximum prices for wastepaper. (a) Grades and maximum prices per short ton f. o. b. point of shipment.

¹7 F.R. 5059, 7242, 8829, 9000.

²7 F.R. 8961.

^{*7} F.R. 3403, 6077.

maximum p	
per short ton	
Grades point of ship	
No. 1 mixed paper 1	\$14.00
No. 1 news 2	15.00
Overissue news 1	17.00
Old corrugated containers *	16.50
Old Kraft corrugated containers	30.00
New corrugated cuttings	18.00
Box board cuttings 7	14.50
White blank news "	33,00
Extra manilas	37.00
New manila envelope cuttings 10	53.00
One cut new manila envelope cut-	
tings "	57.50
Manila tabulating cards, free from	
groundwood 15	45.00
Manila tabulating cards, ground-	40.00
wood 13	27.00
No. 1 hard white shavings 14	57. 50
Hard white envelope cuttings 15	62.50
One cut hard white envelope cut-	100000000
tings 16	67.50
No. 1 soft white shavings 17	50.00
One cut soft white shavings 18	57.50
Miscellaneous soft white shavings 19	43.00
No. 1 fly leaf shavings 30	33.50
No. 1 groundwood fly leaf shavings n_	25.00
No. 2 mixed colored groundwood shav-	
ings 22	18.00
Mixed books 28	17.00
No. 1 heavy books and magazines 24	33.50
No. 1 mixed ledger (colored ledger)25_	37.50
No. 1 white ledger 26	43.50
No. 1 assorted Kraft (old Kraft) 27	35.00
Triple sorted No. 1 brown soft Kraft 28_	50.00
Mixed Kraft envelope and/or bag	
cuttings 29	55.00
Kraft envelope cuttings 30	65.00
New 100% Kraft corrugated cut-	
tings at	45.00
Mill wrappers 82	17.00

Maximum prices

"No. 1 mixed paper" consists of wastepaper which does not have the uniform or distinctive qualities required for classifica-

tion as any other grade.

""No. 1 news" consists of waste newspapers Optional method of packing-securely tied

"Overissue news" consists of unused overrun newspapers from a newspaper office. Dealers' returns constitute a lower quality of this grade. Optional method of packingsecurely tied bundles.

"Old corrugated containers" consist of used corrugated or solid fiber containers.

"Old Kraft corrugated containers" consist of used Kraft corrugated or solid fiber containers of 100% sulphate fiber content. A lower quality of this grade consists of corrugated containers composed of two liners which are of 100% sulphate fiber with a corrugated filler of other fiber. Unless both of the liners are 100% sulphate fiber, the material must not be sold at a price in excess of the maximum price of "Old corrugated containers."

"New corrugated cuttings" consist of new corrugated or solid fiber container board cut-

""Boxboard cuttings" consist of new cuttings of paperboard which is used in the manufacture of folding paper cartons, set-up boxes and similar boxboard products.

"White blank news" consists of unprinted cuttings or sheets of white newsprint paper.

""Extra manilas" of the highest quality consist of unprinted manila paper. Lower qualities may contain printing.

10 "New manila envelope cuttings" consist of new cuttings or sheets of unprinted manila paper of the quality used in the manufacture of manila envelopes. Optional method of packing-securely tied packages.

" "One cut new manila envelope cuttings" consist of new one cut cuttings or sheets of unprinted manila paper of the quality used in the manufacture of manila envelopes.

Optional method of packing-securely tied

12 "Manila tabulating cards, free from groundwood" consist of new or used printed manila cards, free from g oundwood, which have been manufactured for use in automatic tabulating machines. Lower qualities of this grade may include tabulating cards of similar stock having colors other than manila. Optional method of packing-bags or boxes.

13 "Manila tabulating cards, groundwood" consist of new or used printed manila cards, containing groundwood, which have been manufactured for use in automatic tabulating machines. Lower qualities of this grade may include tabulating cards of similar stock having colors other than manila. Optional method of packing-bags or boxes.

""No. 1 hard white shavings" consist of new groundwood-free bond or writing paper shavings of sulphite and/or rag fiber content. The highest quality of this grade consists of all white shavings. Lower qualities may contain rulings or light colored stock.

15 "Hard white envelope cuttings" consist of new cuttings from groundwood-free bond or writing papers of the quality used in the manufacture of envelopes. The fiber content of the stock shall be sulphite, rag, or bleached sulphate. Optional method of packing-securely tied packages.

'One cut hard white envelope cuttings" consist of new one cut cuttings from groundwood-free bond or writing papers of the quality used in the manufacture of envelopes. The fiber content of the stock shall be sulphite, rag, or bleached sulphate. Optional method of packing-securely tied packages.

17 "No. 1 soft white shavings" consist of unprinted, all white shavings from book and similar printing papers, free from ground-wood, and containing not in excess of 10% of coated paper stock and/or heavily filled

papers.

"One cut sof, white shavings" consist of unprinted, all white, one cut shavings from book and similar printing papers, free from groundwood, and containing not in excess of 10% of coated paper stock and/or heavily filled papers.

19 "Miscellaneous soft white shavings" consist of unprinted all white shavings from book and similar printing papers, free from groundwood, but not limited with respect to coated or filled paper stock.

20 "No. 1 fly leaf shavings" consist of the trim of magazines, catalogs and similar printed matter, free from groundwood, and may contain the bleed of cover and insert stock. Solid color printed and beater-dyed papers constitute a lower quality of this

2) "No. 1 groundwood fly leaf shavings" consist of the trim of magazines, catalogs and similar printed matter, not limited with respect to groundwood, and may contain the bleed of cover and insert stock, but shall be free from beater-dyed papers, solid or other color printing, and coated stock.

22 "No. 2 mixed colored groundwood shavings" consist of the trim of magazines, catalogs and similar printed matter, not limited with respect to grundwood or coated stock, and may contain the bleed of cover and insert stock as well as beater-dyed papers and solid and other color printing.

23 "Mixed books" consist of books or magazines, including outthrow not in excess of 40 per cent of the total weight of the packing. Packings which contain in excess of 40 per cent outthrow must not be sold at a price in excess of the maximum price of "No. 1 mixed Packings of this grade which are sold for use in the manufacture of paper-board, regardless of outthrow percentage must not be sold at a price in excess of the maximum price of "No. 1 mixed paper".

24 "No. 1 heavy books and magazines" sist of used and overissue books and magazines, stitchless stock, quire waste, and similar printed matter. The stock shall be free from heavily inked, deeply colored, gilt, aluminum, varnished, lithographed, rotogravure printed, and cover papers. This grade shall not contain more than 2% outthrow. Deliveries which fail to meet the requirement as to outthrow must be rejected or paid for only after adjustment to eliminate any payment for the excessive outthrow.
2 "No. 1 mixed ledger (colored ledger)"

consists of ledger sheets, bond, and writing papers, white and colored, which contain no more than 2% outthrow. Deliveries which fail to meet the requirement as to outthrow must be rejected or paid for only after adjustment to eliminate any payment for the ex-

cessive outthrow.

2 "No. 1 white ledger" consists of ledger sheets, bond, and writing papers, all white, which contain no more than 2% outthrow. Deliveries which fail to meet the requirement as to outthrow must be rejected or paid for only after adjustment to eliminate any payment for the excessive outthrow

"No. 1 assorted Kraft (old Kraft)" consists of Kraft paper waste, free from corru-

gated waste of any kind.

2 "Triple sorted No. 1 brown soft Kraft"
consists of old, soft, natural color Kraft
papers completely free from papers other than

those containing 100% sulphate fiber.

20 "Mixed Kraft envelope and/or bag cuttings" consist of new cuttings from 100% sulphate envelope and/or bag stock. eries containing cuttings of less than 100% sulphate fiber shall be sold at a price not in excess of the maximum price of "No. 1 assorted Kraft (old Kraft)".

26 "Kraft envelope cuttings" consist of new cuttings from 100% Northern sulphate envelope stock. Optional method of packing-

securely tied packages.

31 "New 100% Kraft corrugated cuttings" consist of cuttings from new corrugated or solid fiber container stock of 100% sulphate fiber content. A lower quality of this grade consists of cuttings from new corrugated stock composed of two liners which are 100% sulphate fiber with a corrugated filler of other fiber. Unless both of the liners are of 100% sulphate fiber, the material must not be sold at a price in excess of the maximum price of 'New corrugated cuttings."

2 "Mill wrappers" consist of paper used as outside wrappers for rolls or bundles of fin-ished paper stock and may contain sulphite or Kraft screenings, groundwood fiber or

chemical woodpulp fiber.

(b) Grade requirements-(1) Differentials. All prices established by this Maximum price Regulation No. 30 are the maximum prices for the respective grades of wastepaper. No differentials or service charges other than those specifically provided for in this Maximum Price Regulation No. 30 may be charged.

(2) Highest qualities. The highest qualities of each grade shall be clean, dry, and free from objectionable papers and foreign materials. Other qualities of wastepaper of each grade may be purchased or sold at or below the maximum price established for such grade: Provided, That such wastepaper fulfills the minimum requirements of fiber and physical characteristics as set forth in the definition of such grade, and is of merchantable quality in all respects.

(3) Baling. All wastepaper must be packed in machine compressed bales unless provision is made in the definition of the grade for an optional method of packing. A deduction of at least \$2.00 per ton must be made from the maximum

price specified for such grade, if the packing does not comply with this requirement. Tare shall not exceed 2% of the gross weight.

(c) Maximum prices for unlisted grades of wastepaper. The maximum price for any grade of wastepaper not listed in paragraph (a) of this § 1347.14 shall be a price in line with the maximum price enumerated therein for the nearest

related grade of wastepaper.

Any person proposing to sell to a consumer of wastepaper or any consumer proposing to buy a grade of wastepaper not listed in paragraph (a) of this § 1347.14 shall, before making such sale or purchase, submit to the Administrator in Washington, D. C. a sworn statement setting forth all of the relevant facts including the following:

(1) Name of grade.(2) Detailed statement of fiber content and physical characteristics of said

grade.
(3) Maximum price per short ton f. o. b. point of shipment for which such person proposes to buy or sell said grade.

- (4) Detailed statement of prices for which petitioner has purchased or sold said grade since January 1, 1941. This statement must be set forth on a monthly
- (5) Detailed statement of tonnage of said grade purchased or sold by petitioner since January 1, 1941. This statement must be set forth on a monthly
- (6) Statement indicating the degree of uniformity of fiber content and physical characteristics of said grade in all other purchases or sales thereof which have been made by said person.

(7) All other facts requested by the Office of Price Administration.

Representative samples of the wastepaper proposed to be purchased or sold shall be submitted with the sworn state-

The price for which such wastepaper is purchased or sold by Luch person shall be subject to adjustment by the Office of Price Administration, if such price is not in line with the maximum price enumerated in this schedule for the nearest related grade of wastepaper. When any person has submitted the data described above with respect to any grade of wastepaper, he shall not be required to submit such data again prior to making a purchase or sale of the identical grade of wastepaper.

If either the buyer or seller shall furnish the Administrator with all the data required under this paragraph (c), it shall not be necessary for the other party to the same transaction to furnish such

(d) Maximum prices for unsorted astepaper. Unsorted wastepaper, wastepaper. which contains two or more unsorted grades, shall not be subject to the maximum prices prescribed by this Maximum Price Regulation No. 30, in the event that such paper is sold to a purchaser who warrants in writing to the seller that he will not use such paper as a consumer thereof, but will sort and grade it for resale into (1) grades listed in this Maximum Price Regulation No. 30, or (2) specialty grades described in

paragraph (c) of this § 1347.14, or (3) paper which does not constitute wastepaper as defined in § 1347.11, and that he will sell such paper so sorted and graded at prices no higher than the maximum prices prescribed for such grades by this Maximum Price Regulation No. 30, or by any other applicable maximum price regulation or price schedule. If, however, such unsorted paper is sold to a consumer thereof, the price therefor shall not exceed the maximum price prescribed by this Maximum Price Regulation No. 30 for "No. 1 mixed paper". The warranties required from the purchaser must be kept in the seller's records in the manner provided in § 1347.10.

(e) Transportation allowances, prices established by this Maximum Price Regulation No. 30 shall be for wastepaper f. o. b. freight cars, trucks, or barges at the point of shipment. point of shipment is the point at which the wastepaper is first loaded on a conveyance for transportation to the buyer, except that in the case of imported wastepaper the point of shipment shall be the port or city of entry in the United

States.

(1) Delivery charges. Sales may be made on a delivered basis, but such sales must be made at prices not in excess of the maximum f. o. b. point of shipment prices established by this Maximum Price Regulation No. 30, plus, where the costs of delivery are incurred by the seller, such of the transportation allowances set forth in this subparagraph (1) or in subparagraph (2) of this paragraph (e) as are applicable thereto.

(i) When transportation to the buyer is by public (common or contract) carrier, the lowest established transportation

rate for such shipment:

(if) When transportation to the buyer Is by a vehicle owned or controlled by the seller, other than a common or contract

- (a) An amount not in excess of \$1.00 per short ton, plus actual toll charges, when the point of shipment and the buyer's premises are located in the same city, town or municipality, or at a distance of ten miles or less from each other by the shortest available public highway
- (b) An amount per short ton not in excess of the lowest published rail rate for full carload shipments of wastepaper, when the point of shipment and the buyer's premises are not located in the same city, town or municipality and are at a distance of more than ten miles from each other by the shortest available public highway route.
- (2) Loading charge. If there is no rail siding or barge dock at the point of shipment, and the wastepaper is transported to and loaded on a freight car or barge at a public track or public barge dock for transportation to the buyer at the expense of the seller, the seller may add to the shipping point price an amount not in excess of \$1.00 per short ton for such transportation and loading.

No allowance may be added under any circumstances, if either the point of shipment or the public track or barge dock at which the wastepaper is loaded

is within the limits of the railway switching district of Chicago, Illinois.

(f) Invoice requirements. All sales of wastepaper to a consumer shall be invoiced. The invoice shall state as separate items the following data:

(1) The grade name. This shall be (i) the applicable grade name set forth in paragraph (a) of this § 1347.14, or (ii) the grade name of a specialty with respect to which sworn statements and samples have been submitted to the Office of Price Administration in accordance with paragraph (c) of this § 1347.14.

(2) The origin of the shipment. This shall include the name of the city or town where the point of shipment is located. If delivery is in the seller's own truck, and if the point of shipment and the buyer's premises are located at a distance of more than ten but less than fifteen miles from each other by the shortest available highway route, the street address and city where such point of shipment is located shall be shown.

(3) The destination of the shipment. This shall include the name, street address and city of the consumer.

(4) Any amount charged by the seller for transportation of the wastepaper.

(g) Brokerage. (1) In the event that a consumer of wastepaper shall purchase wastepaper through a broker as defined in § 1347.11 (a) (11), hereof, such consumer may pay such broker not more than the maximum price herein plus a broker's allowance not to exceed the following percentages of the price per ton of the amount actually paid to the broker, exclusive of the broker's allow-

alloc.	Broker's
Price per ton for grade of	allowance in
wastepaper purchased:	percentage
Up to \$20.00	4
\$20.01 to \$30.00	5
\$30.01 to \$40.00	51/2
\$40.01 to \$50.00	7
\$50.01 to \$60.00	8
860 01 and un	9

- (2) The maximum prices established in § 1347.14 Appendix A, can in no case be augmented by more than one brokerage allowance for each ton. In no event shall a person receive brokerage or the proceeds of brokerage on wastepaper packed by him. In no event shall a person receive brokerage on the pack of another person pursuant to any contract, agreement or understanding of any sort whatsoever between the two, whereby each is to seli, and charge brokerage on, the pack of the other. In addition to the price paid by the consumer, a broker may receive a broker's allowance only from a consumer, and only if the transaction in question fulfills all of the following requirements:
- (i) The broker records the name or names of his vendor, or vendors in each transaction, the quantity and grade of wastepaper purchased, the price f. o. b. point of shipment paid by such broker, the name of his consuming purchaser, the method of shipment to such consuming purchaser, the price paid by such consuming purchaser, and the broker's allow-
- (ii) The sale is made by the broker to the consumer.

(iii) The wastepaper sold by the broker to the consumer has been completely prepared for delivery by a person other than the broker.

(iv) The broker guarantees the merchantable quality of the wastepaper.

(v) The broker's allowance in such transaction is shown as a separate item on the invoice. This invoice must contain a statement that the broker has had no part in the preparation of the wastepaper covered, prior to its delivery to the consumer, and that the charges are not in excess of those established in this Maximum Price Regulation No. 30.

(vi) The broker's allowance is not split or divided with any other person.

(vii) All pertinent provisions in this Maximum Price Regulation No. 30 are strictly complied with.

Issued this 21st day of November 1942.

Leon Henderson,

Administrator.

[F. R. Doc. 42-12260; Filed, November 21, 1942; 12:37 p. m.]

PART 1390—MACHINERY AND TRANSPORTA-TION EQUIPMENT

[MPR 136 as Amended,1 Amendment 55]

MACHINES AND PARTS AND MACHINERY SERVICES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

New subparagraph (41) is added to § 1390.25 (c) as set forth below:

§ 1390.25 Petitions for amendment or adjustment. * * *

(c) Amendments. * * *

(41) Sales of air conditioning and refrigerating equipment pursuant to War Production Board program. Notwithstanding any other provisions of this Maximum Price Regulation No. 136, as amended, the maximum price applicable to the sale at the direction of the War Production Board of any industrial or commercial air conditioning or refrigerating equipment to the manufacturer of such equipment by a person using such equipment and not engaged in the business of selling such equipment, shall be the installed cost of such equipment to such user, less depreciation at the rate of 5% per year; the maximum price applicable to the resale of any such equipment by the manufacturer on a reconditioned and guaranteed basis to a new user designated by the War Production Board shall be the total cost of the equipment to the manufacturer, including the cost of inspection, dismantling, and shipment to the manufacturer's plant, estimated

*Copies may be obtained from the Office of Price Administration. if necessary: plus the cost of reconditioning the equipment, of shipment to the purchaser, and of installation, estimated if necessary; plus the amount of any other out-of-pocket expenses incurred in connection with such sale, estimated if necessary; plus a reasonable charge for engineering and a reasonable profit, not upon the cost to the manufacturer, but in the light of the manufacturer's risk and responsibility: Provided, That the amount of such profit, to ether with a description of the transaction, has been submitted to the Office of Price Administration, Washington, D. C., for its review and that the Office of Price Administration has approved or failed to disapprove the amount of such profit within thirty days after receipt of the informa-

§ 1390.31a Effective dates of amend-

(ddd) Amendment No. 55 (§ 1390.25 (c) (41)) to Maximum Price Regulation No. 136, as amended, shall become effective November 27, 1942.

(Pub. Laws 421, 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 21st day of November 1942.

LEON HENDERSON.

Administrator.

[F. R. Doc. 42-12268; Filed, November 21, 1942; 12:36 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 5A,1 Amendment 1 to Supp. 1]

GASOLINE RATIONING REGULATIONS

Subparagraph (1) of paragraph (a) of § 1394,2001 is amended; and a new paragraph (c) to § 1394,2001 is added; as set forth below:

§ 1394.2001 Designation of unit value in gallons of gasoline. (a) * * *

(1) Three (3) gallons of gasoline with respect to A book coupons, except in West Virginia, where A book coupons shall have a value of four (4) gallons, and four (4) gallons with respect to B and C book coupons.

*

(c) Amendment No. 1 (§ 1394.2001 (a) (1)) to Supplement No. 1 to Ration Order No. 5A shall become effective November 22, 1942.

(Pub. Law 671, 76th Cong., 3rd Sess., as amended by Pub. Law 89, 77th Cong., 1st Sess., and by Pub. Law 507, 77th Cong., 2nd Sess., Pub. Law 421, 77th Cong., 2nd Sess., W.P.B. Dir. No. 1, Amendment No. 2 to Supp. Dir. No. 1 (H), 7 F.R. 562, 3478, 3877, 5216).

Issued this 21st day of November, 1942.

LEON HENDERSON,

Administrator.

[F. R. Doc. 42-12261; Filed, November 21, 1942; 12:37 p. m.]

¹7 FR. 5255, 5362, 5426, 5566, 5606, 5666, 5674, 5943, 6267, 6684, 6776, 7510, 7399, 7811, 7907.

PART 1404—RATIONING OF RUBBER FOOT-WEAR

[Ration Order 6,1 Amendment 5]

MEN'S RUBBER BOOTS AND RUBBER WORK SHOES RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

A new § 1404.37a and a new paragraph (e) to § 1404.71 are added, as set forth below:

Acquisition and Transfer by Retailer, Distributor and Manufacturer

§ 1404.37a Obtaining Certificates to replace rubber jootwear transferred by a distributor to retail and distributing establishments. (a) Any establishment registered as a distributing establishment may, at any time between November 28 and December 5, 1942, inclusive, apply to the Board for Certificates representing the number of pairs of each type of rubber footwear transferred by it to registered retail or distributing establishments during the period from October 5 to November 28, 1942, inclusive. Application shall be made on OPA Form R-604 and shall state the number of pairs of each type of rubber footwear transferred in such period to registered retail or distributing establishments, and the number of pairs of each type for which replacement Certificates are desired. The application shall be accompanied by such evidence as the Board may require.

(b) The Board, if it is satisfied that the facts stated in the application are true, shall issue Parts I of Certificates to the applicant for the number of pairs of each type of rubber footwear for which such replacement is desired, not exceeding, for any type, the number of pairs of that type transferred by the establishment to registered retail or distributing establishments during the period from October 5 to November 28, 1942, inclusive.

(c) The number of pairs of rubber footwear represented by Parts I of Certificates issued pursuant to this section shall be reported by the applicant to the Central Inventory Unit, Office of Price Administration, Empire State Building, New York City.

Effective Date

§ 1404.71 Effective dates of amendments. * * *

(e) Amendment No. 5 (§ 1404.37 (a)) shall become effective November 21, 1942.

(Pub. Laws 421 and 729, 77th Cong.; W.P.B. Directive No. 1, 7 F.R. 562, and Supplementary Directive No. 1-N, 7 F.R. 7730; E.O. 9250, 7 F.R. 7871)

Issued this 21st day of November 1942.

LEON HENDERSON,

Administrator.

[F. R. Doc. 42-12264; Filed, November 21, 1942; 12:38 p. m.]

¹⁷ F.R. 5047, 5362, 5665, 5908, 6425, 6682, 6899, 6964, 6965, 6937, 6973, 7010, 7246, 7320, 7365, 7509, 7602, 7739, 7744, 7907, 7912, 7945, 7944, 8198, 8362, 8433, 8479, 8520, 8652, 8707, 8897, 9001, 8948, 9040, 9041, 9042, 9053, 9054, 8897, 8001, 8948, 9040, 9041, 9042, 9053, 9054, 8897, 8001, 8948, 9040, 9041, 9042, 9053, 9054, 9040, 9041, 9042, 9053, 9054, 9040, 9041, 9042, 9053, 9054, 9040, 9041, 9042, 9053, 9054

¹⁷ F.R. 7748, 7967, 8363, 8809, 9084.

PART 1499-COMMODITIES AND SERVICES [Order 105 Under § 1499.18 (b) of GMPR]

PITTSBURGH COKE AND IRON COMPANY

For reasons set forth in an opinion issued simultaneously herewith, It is ordered:

§ 1499.1006 Adjustment of maximum prices for sales of 2° pyridine by the Pittsburgh Coke and Iron Company. (a) The Pittsburgh Coke and Iron Company, of Pittsburgh, Pennsylvania, may sell, and any person may buy from such company, 2° pyridine at the following maximum prices:

(1) In non-returnable containers, \$0.445 per gallon, plus actual invoice cost of containers to seller.

- (2) In returnable containers, \$0.445 per gallon, without additional charge for containers. Seller may require reasonable de-posit for return of containers, which rust be refunded to buyer on return of container. Transportation charges on return of container shall be borne by seller.
- (b) All discounts, allowances, freight and trade practices of the seller, not in conflict with paragraph (a) above, in effect with respect to the sale of the above commodity during March 1942, shall apply to the maximum prices established

in paragraph (a) above. (c) This Order No. 105 may be revoked or amended by the Price Admin-

istrator at any time.

(d) This Order No. 105 (§ 1499.1006) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(e) This Order No. 105 (§ 1499.1006) shall become effective November 23, 1942.

(Pub. Laws 421 and 729; 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 21st day of November 1942. LEON HENDERSON, Administrator.

[F. R. Doc. 42-12262; Filed, November 21, 1942; 12:37 p. m.]

PART 1499—COMMODITIES AND SERVICES [Order 106 Under § 1499.18 (b) of GMPR]

THE NARRAGANSETT BREWING COMPANY

Order 106 under § 1499.18 (b) of the General Maximum Price Regulation-Docket No. GF3-1880.

For the reasons set forth in an opinion issued simultaneously herewith, It is ordered:

§ 1499.1007 Adjustment of maximum prices in the State of Connecticut for sales of fermented malt beverages manufactured by Narragansett Brewing Company. (a) The Narragansett Brewing Company of Providence, Rhode Island, its wholesalers and retailers may sell and deliver in the State of Connecticut and any person may buy and receive from the Narragansett Brewing Company or any wholesaler or retailer, in the State of Connecticut, fermented malt beverages manufactured by the Narragansett Brewing Company at prices not higher than those set forth below:

(1) Maximum prices for Narragansett Brewing Company to sellers at wholesale. The maximum prices established under § 1499.2 of the General Maximum Price Regulation for the Narragansett Brewing Company plus the following amounts:

4¢ per case of 24 twelve ounce bottles 10¢ per case of 12 thirty-two ounce bottles

(2) Maximum prices which a wholesaler may charge a retailer for fermented malt beverages manufactured by the Narragansett Brewing Company. The Narragansett Brewing Company. maximum prices established under § 1499.2 of the General Maximum Price Regulation for the particular wholesaler plus the following amounts:

4¢ per case of 24 twelve ounce bottles 10¢ per case of 12 thirty-two ounce bottles

Provided, That if the particular wholesaler raised his prices during March 1942, he may add only the excess, if any, of the adjustment permitted hereunder over the amount by which he increased

his prices during March.

(3) Maximum prices which retailers may charge for fermented malt bevermanufactured by Narragansett Brewing Company. The maximum prices established under § 1499.2 of the General Maximum Price Regulation for the particular retailer plus 1¢ for 3 twelve ounce bottles and 1¢ for each thirty-two ounce bottle: Provided, That such prices as increased shall not exceed 27¢ for 3 twelve ounce bottles and 22¢ for each thirtytwo ounce bottle.

(b) Notification of adjustment. (1) All wholesalers who purchase fermented malt beverages from the Narragansett Brewing Company shall be notified in writing by such company on or before the first delivery after the effective date

of this order as follows:

The Office of Price Administration has permitted us to raise our maximum prices for sales to you of our fermented malt beverages, 4¢ per case of 24 twelve ounce bottles and 10¢ case of 12 thirty-two ounce bottles over our March ceiling prices. This amount represents that amount of cost increase which we were unable to absorb and it was granted with the understanding that wholesale and retail prices would be increased only in certain cases and under certain conditions. You may add to your present maximum price 4¢ per case of 24 twelve ounce bottles and 10¢ per case of 12 thirty-two ounce bottles: Provided, That if you raised your price on these products during March 1942, you may now add only the excess, if any, of the adjustment above mentioned over the amount by which you increased your prices during March.

(2) All ellers at wholesale who sell fermented malt beverages manufactured by the Narragansett Brewing Company to retailers shall notify in writing such retailers on or before the first delivery after the effective date of this order as follows:

The Office of Price Administration has permitted the Narragansett Brewing Company to add to its maximum price 4¢ per case of 24 twelve ounce bottles and 10¢ per case of 12 thirty-two ounce bottles. We are permitted to add this same increase to our March ceilings prices to you: Provided, That if our price was increased during March 1942 we could add only the excess, if any, of this adjustment over the increase that took place in March. Accordingly, you are permitted to

add to your ceiling prices 1¢ on quantity sales of 3 twelve ounce bottles and 1¢ on each thirty-two ounce bottle: Provided, That such prices as increased shall not exceed 27¢ for twelve ounce bottles of 22¢ for each thirtytwo ounce bottle.

(c) All prayers of the application not granted herein are denied.

(d) This Order No. 106 may be revoked or amended by the Price Administrator at any time.

(e) This Order No. 106 (§ 1499.1007) is hereby incorporated as a section of Supplementary Regulation No. 14 which contains modifications of maximum prices established by § 1499.2 of the General Maximum Price Regulation.

(f) This Order No. 106 (§ 1499.1007) shall become effective November 23, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 21st day of November 1942. LEON HENDERSON, Administrator.

[F. R. Doc. 42-12263; Filed, November 21, 1942; 12:37 p. m.]

Chapter XIII-Office of Petroleum Coordinator for War

[Recommendation 61]

PART 1504-PROCESSING AND REFINING

ASPHALT AND ASPHALTIC PRODUCTS

To manufacturers and processors of

asphalt and asphaltic products:
The requirements of war make necessary the efficient utilization of petroleum transportation and storage facilities. One means which will tend to accomplish this purpose is the elimination of unnecessary grades of paving asphalt which are being manufactured.

Therefore, pursuant to the President's letter of May 28, 1941, establishing the Office of Petroleum Coordinator for War, I do hereby recommend that immediately

and until further notice:

(6 FR. 2760).

1504.112 Manufacture of asphalt.

1504.113 Grades of asphalt. 1504.114 Date of applicability. 1504.115 Area of applicability.

AUTHORITY: §§ 1504.112 to 1504.115, inclusive, issued under the President's letter of May 28, 1941, to the Secretary of the Interior

§ 1504.112 Manufacture of asphalt. No asphalt or asphaltic products for paying purposes other than the grades specified in § 1504.113 of this chapter shall be manufactured after the effective date of this recommendation.

§ 1504.113 Grades of asphalt. The grades of asphalt and asphaltic products for paving purposes which may be manufactured after the effective date of this recommendation are:

Asphalt cements: Penetration Ranges-50-60, 85-100, 120-150, 150-200, 200-300.1 Fed-

¹Same specifications as 150-200 penetration asphalt except that the softening point shall be 90-125 degrees Fahrenheit, and penetration at 77 degrees Fahrenheit, 100 grams, 5 seconds, shall be 200-300.

Specifications—SS-A-706a (November

26, 1940) and SS-R-406a (April 25, 1942).

Medium curing cutback asphatts: MC-1,
MC-2, MC-3, MC-5. Federal Specifications—
SS-A-671a (June 20, 1941) and SS-R-406a
(April 25, 1942).

Rapid curing cutback asphalts: RC-1,² RC-2, RC-3, RC-5. Federal Specifications—SS-A-671a (June 20, 1941) and SS-R-406a (April 25, 1942).

Emulsified asphalts: Types I, II, III, V. Federal Specifications—SS-A-674 (May 7, 1935) and SS-A-674, Amendment-1 (March

§ 1504.114 Date of applicability. This recommendation shall become effective on November 25, 1942.

§ 1504.115 Area of applicability. This recommendation shall apply to the Continental United States.

> RALPH K. DAVIES, Deputy Petroleum Coordinator for War.

[F. R. Doc. 42-12281; Filed, November 23, 1942; 11:14 a. m.]

TITLE 33-NAVIGATION AND NAVIGABLE WATERS

Chapter II-Corps of Engineers, War Department

PART 203-BRIDGE REGULATIONS

CALIFORNIA

Pursuant to the provisions of section 5 of the River and Harbor Act approved August 18, 1894 (28 Stat. 362; 33 U. S. C. 499), paragraph (b) of the rules and regulations to govern the operation of the drawbridges crossing all navigable waters of the United States within the State of California approved March 4, 1936, as amended July 15, 1940, is hereby further amended as follows:

§ 203.710 * State of California; bridge regulations for all navigable waterways of the United States within California. including San Francisco Bay and connected bays and river systems tributary thereto. * *

(4) Sacramento River.

BELOW CHICO LANDING *

1

Highway Bridge across Sutter Slough near Courtland. The owner of, or agency controlling, the bridge will not be required to keep draw tenders in constant attendance at the above-mentioned bridge.

Whenever a vessel, unable to pass under the closed bridge desires to pass through the draw, at least 8 hours' advance notice to that effect shall be given to the Sacramento County Engineer or to the draw tender of the Sacramento River Walnut Grove Bridge.

Upon receipt of such notice, prompt opening of the draw shall be arranged for the time specified in the notice for the passage of the vessel.

2 Rapid curing cutback asphalt RC-1 may be manufactured only when this product is to be transported from a refinery to a ter-

minal via barges. *5 F.R. 1696, 2671.

The owner of, or agency controlling, the bridge shall keep conspicuously posted on both the upstream and downstream sides of the bridge, in such manner that it can easily be read at any time, a copy of these regulations, together with notice stating exactly how the representatives specified above may be reached.

The operating machinery of the draw shall be maintained in a serviceable condition, and the draw opened and closed frequently enough to make certain that the machinery is in proper order for satisfactory operation. (28 Stat. 362; 33 U.S.C. 499) [Regs. CE 6371 (Sacramento Co. (Calif.)—Sutter Slough— ½ mile So. Courtland)—SPEON)]

[SEAL] A. J. ULIO. Major General, The Adjutant General.

[F. R. Doc. 42-12172; Filed, November 20, 1942; 1:30 p. m.]

TITLE 43-PUBLIC LANDS: INTERIOR

Subtitle A-Office of the Secretary of Interior

PART 4-DELEGATION OF AUTHORITY

By virtue of the authority vested in the Secretary of the Interior to issue rules and regulations in the administration of the functions of the Department of the Interior; the authority conferred by the act of March 14, 1862 (12 Stat. 355, 369, ch. 41; secs. 438, 439 Rev. Stats.; 5 U.S.C. (1940 ed.) secs. 482, 483); the act of March 3, 1885 (23 Stat. 478, 497, ch. 360; 5 U.S.C. (1940 ed.) sec. 482); the act of May 9, 1935 (49 Stat. 176, 177, ch. 101; 5 U.S.C. (1940 ed.) sec. 481a); the act of March 28, 1918 (40 Stat. 499, ch. 29; 5 U.S.C. (1940 ed.) sec. 483); sec. 161, Rev. Stats., 5 U.S.C. (1940 ed.) sec. 22; and the general authority of the Secretary of the Interior to prescribe the functions and delegate the duties to be performed by the Under Secretary of the Interior, the First Assistant Secretary of the Interior and the Assistant Secretary of the Interior, the following delegation of authority is hereby ordered and prescribed:

§ 4.1 Delegation of authority to the Under Secretary, First Assistant Secretary, and Assistant Secretary of the Interior. The Under Secretary, the First Assistant Secretary and the Assistant Secretary of the Interior are hereby respectively authorized and directed, with respect to any matter, duty or function relating to, arising under, or in connection with the following bureaus, offices, officers, and functions of the Department of the Interior, to perform all the functions and duties and exercise all the powers, authority and discretion of the Secretary of the Interior, and the acts and directions of the Under Secretary, the First Assistant Secretary, or the Assistant Secretary, respectively, pursuant to the authority herein delegated, shall be deemed to be the acts and directions of the Secretary of the Interior:

(a) Under Secretary of the Interior:

1. National Park Service.

2. Bureau of Reclamation.

3. Grazing Service.

- 4. Bituminous Coal Division.
- 5. Petroleum Conservation Division.6. Division of Territories and Island Pos-
- (b) First Assistant Secretary of the Interior:
 - 1. General departmental administration.

Budget matters.

3. Organization Surveys.

- 4. Division of Personnel Supervision and Management.
- 5. Classification Division.
- 6. Office of Land Utilization.
- 7. Office of the Chief Clerk.
- 8. Office of the Departmental Representative of the Advisory Council, Civilian Conservation Corps.
 - 9. Office of the Adviser on Labor Relations.
- (c) Assistant Secretary of the Interior:
 - 1. General Land Office.
 - 2. Geological Survey.
 - Bureau of Mines
 - Office of Indian Affairs.
- Fish and Wildlife Service.
 United States Board on Geographical
- § 4.2 Authority in absence of designated secretarial official. In the absence of the Secretary, the Under Secretary will, as Acting Secretary, perform the duties and functions and exercise the powers, authority and discretion of the Secretary of the Interior. In the absence of the Secretary and the Under Secretary, the First Assistant Secretary, and in his absence the Assistant Secretary, will, as Acting Secretary, perform the duties and functions and exercise the powers, authority and discretion of the Secretary of the Interior. In the absence of either the Under Secretary, the First Assistant Secretary or the Assistant Secretary, the Secretary or Acting Secretary of the Interior will designate the person who shall perform the duties and functions and exercise the authority, powers and discretion of the Under Secretary, the First Assistant Secretary or the Assistant Secretary, respectively.
- § 4.3 Offices under direct supervision of the Secretary. The following offices and divisions shall remain under the direct supervision of the Secretary of the Interior:

 - Office of the Solicitor.
 Division of Information.
 Division of Power.

 - Office of Field Representatives.
- 5. Office of the Petroleum Coordinator for
- 6. Office of Solid Fuels Coordinator for War. 7. Office of Fishery Coordination.
- § 4.4 Prior orders superseded. This order supersedes Orders 1386 of May 26, 1939, and 1611 of September 23, 1941; but nothing herein shall be construed to invalidate any act heretofore performed by any of the secretarial officials pursuant to any order of delegation heretofore in force.

This order shall be published in the FEDERAL REGISTER.

Issued and effective this 20th day of November, 1942.

HAROLD L. ICKES, Secretary of the Interior.

[F. R. Doc. 42-12241; Filed, November 21, 1942; 11:16 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I-Interstate Commerce Commission

[Docket No. 3666]

PARTS 73 TO 81—TRANSPORTATION OF EXPLOSIVES

PART 2—COMMODITY LIST OF EXPLOSIVES AND OTHER DANGEROUS ARTICLES 1

AUTHORITY: Issued under sec. 233, 41 Stat. 1445, sec. 204 (a) (2), 49 Stat. 546; 18 U.S.C. 383, 49 U.S.C. 304.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 28th day of October, A. D. 1942.

Superseding and amending list, order Aug. 16, 1940, or Nov. 8, 1941, as follows:

Order in the matter of regulations for transportation of explosives and other dangerous articles.

It appearing, that certain new and amended regulations for the transportation of explosives and other dangerous articles by rail in freight, express and baggage services, and by water and highway, have been proposed for our approval, pursuant to section 233 of the Criminal Code (Transportation of Explosives Act), and section 204 (a) (2) of Part II of the Interstate Commerce Act:

It further appearing, that by notice dated September 16, 1942, these proposals were circulated among all parties of record, specifying the changes proposed for our approval; and that certain emergency changes hereinafter set forth were thereafter submitted for such

It further appearing, that in said notice it was stated that any party desiring to be heard upon any proposed amendment therein should advise the Commission in writing within 20 days from the date of this notice; otherwise the Commission might proceed to investigate and determine the matters involved in the applications, or might suspend action pending formal hearing:

It further appearing, that as a result of conferences on matters involved in the proposed changes set out in notice of September 16, 1942, and the proposed emergency changes thereafter submitted, agreement was reached by all parties of record with respect to the suggested requirements:

And it further appearing, that the said new and amended regulations have been considered, and the Division finds that the said new and amended regulations attached to and made a part of this order are in accord with the best-known practicable means for securing safety in transit, covering the packing, marking, loading, handling while in transit, and the precautions necessary to determine whether the material when offered is in proper condition to transport:

It is ordered, That the aforesaid regulations heretofore published in orders of August 16, 1940, November 8, 1941,

December 18, 1941, February 26, 1942, and July 14, 1942, be and they are hereby superseded and amended as indicated in

the regulations made a part hereof, as of the effective date of this order, as follows:

Article	Classed as	Exemptions and packing (sec.)	Label	Maximum quantity, express	
(Change) Butadiene, See Liquefied petroleum gas or Liquefied hydrocarbon gas. (Add) Butyraldehyde. (Change) Cyclopropane, See Liquefied hydrocarbon gas. (Add) Hydrochtoric acid, anhydrous, See Hydrogen	Inf, L	103, 110	Red	10 gallons.	
chloride. (Add) Hydrogen chloride	Noninf. G.	302, 303	Green	300 pounds	

PART 3-REGULATIONS APPLYING TO SHIPPERS

Superseding and amending par. (b), sec. 29, order Aug. 16, 1940, to read as follows (empty containers):

(b) They may be loaded in open or stock cars when desired. Cars should not be placarded but lighted open-flame lanterns or other open-flame lights should be kept away.

Amending sec. 60, order Aug. 16, 1940, as follows (packing black powder and low explosives) (Add (b) (3) (a));

(a) Because of the present emergency and until further order of the Commission, black powder and low explosives may be shipped in fiber kegs, spec. 13A.

Amending pars. (b) (6), (b) (7), (b) (9), (b) (10), (b) (16), and (c) (2), sec. 62, order Aug. 16, 1940, as follows (packing blasting caps and electric blasting caps) (Add):

Note: Because of the present emergency and until further order of the Commission, fiberboard boxes, spec. 23F, may be used in lieu of prescribed wooden boxes, spec. 14, 15A or 16A.

Superseding and amending par. (j) (2) sec. 65, order Aug. 16, 1940, to read as follows (packing smokeless powder):

(2) In tightly closed metal cans, or fiber containers, not exceeding one-pound each, packed in outside wooden boxes, spec. 15C. Not more than 10 one-pound cans or 10 one-pound fiber containers may be shipped in one outside box. Each outside package must be plainly marked "Smokeless Powder for Small Arms" or "Smokeless Powder for Cannon," as the case may be.

Amending sec. 68, order Aug. 16, 1940, as follows (packing cordeau detonant): Delete par. (c) reading as follows: "Weight—Gross weight of one outside box must not exceed 150 pounds."

Superseding and amending par. (e), sec. 101, order Aug. 16, 1940 to read as follows (packing inflammable liquids—outage):

(e) Inflammable liquids must not be loaded into domes of tank cars, except as follows:

Because of the present emergency and until further order of the Commission, and only for shipments made during the months of October to April, inclusive, crude petroleum oil and gasoline having a vapor pressure not exceeding 16 pounds per square inch, absolute, at 100° F. may be loaded not to exceed 98 percent of the

combined shell and dome capacity of the tank car.

NOTE: The foregoing permission is granted for inflammable liquids having low coefficients of expansion, provided adequate control is exercised so that sufficient outage, and not less than 2 percent outage, are obtained.

Superseding and amending sec. 103, order Nov. 8, 1941, to read as follows (packing inflammable liquids-exemptions):

- (a) Inflammable liquids, except carbon bisulfide (disulfide), ethyl chloride, ethylene oxide, nickel carbonyl, spirits of nitroglycerin in excess of one percent by weight, and zinc ethyl, in inside glass or earthenware containers not over 1 pint or 16 ounces by weight each, or inside metal containers not over 1 quart capacity each, packed in strong outside containers, except as otherwise provided, are exempt from specification packaging, marking, and labeling requirements for transportation by rail freight or highway. When for transportation by carrier by water they are exempt from specification packaging, marking other than name of contents, and labeling requirements.
- (b) Inflammable liquids, except carbon bisulfide (disulfide), ethyl chloride, ethylene oxide, nickel carbonyl, spirits of nitroglycerin in excess of one percent by weight, and zinc ethyl, in inside containers not over 1 pint or 16 ounces by weight each, packed in strong outside containers, are exempt from specification packaging, marking, and labeling requirements for transportation by rail freight, rail express, or highway. When for transportation by carrier by water they are exempt from specification packaging, marking other than name of contents, and labeling requirements.

Superseding and amending sec. 105, order Nov. 8, 1941, to read as follows (packing self-propelled vehicles-exemptions):

105. Automobiles, motor cycles, tractors, or other self-propelled vehicles, equipped with acetylene gas cylinders or gasoline or other fuel tanks are exempt from specification packaging, marking, and labeling requirements, provided such cylinders and tanks are securely closed, for transportation by rail freight, rail express or highway. When for transportation by carrier by water they are exempt from specification packaging, marking other than name of contents, and labeling requirements. When

¹ Parts 2, 3, 4, and 5 in this order appear in CFR as Parts 73, 75, 80 and 81.

offered for transportation by carriers by rail freight or highway, drainage of fuel tanks is not required. When offered for transportation by rail express, fuel tanks must have been drained and securely

Amending sec. 110, order Aug. 16, 1940, as follows (packing inflammable liquids): Delete par. (b) (3) reading as follows: "Spec. 5B .- Metal barrels or drums."

Amending par. (f), sec. 113, order July 14, 1942, as follows (packing paints, etc.exemptions) (Add):

(f) (1) Because of the present emergency and until further order of the Commission, paint and varnish may be shipped under the conditions prescribed in sec. 113 (f) in containers not exceeding 1 gallon capacity with fiberboard bodies and metal tops and bottoms made leakproof in lieu of glass, earthenware, or metal containers as specified,

Superseding and amending par. (d), sec. 114, order Nov. 8, 1941, to read as follows (packing polishes, etc.-exemptions):

(d) Polishes, metal, stove, furniture and wood, liquid, in glass or earthenware containers of not over 1 quart capacity each, or metal containers not over 5 gallons capacity each, packed in strong outside containers are exempt from specification packaging, marking, and labeling requirements for transportation by rail freight or highway. When for transportation by carrier by water they are exempt from specification packaging, marking other than name of contents, and labeling requirements. (See sec. 103 (b) for rail express exemptions.)

Superseding and amending sec. 115, order Nov. 8, 1941, to read as follows (packing refrigerating machines-exemptions):

115. Refrigerating machines assembled for shipment and containing not over 15 pounds of an inflammable liquid for their operation are exempt from specification packaging, marking and labeling requirements for transportation by rail freight, rail express, or highway. When for transportation by carrier by water they are exempt from specification packaging, marking other than name of contents, and labeling requirements.

Superseding and amending par. (c), sec. 117, order Aug. 16, 1940, to read as follows (packing rubber cement):

(c) Spec. 17E. Metal barrels or drums irrespective of flash point.

Superseding and amending sec 153, order Nov. 8, 1941, to read as follows (packing inflammable solids and oxidizing materials-exemptions):

153. Inflammable solids, and oxidizing materials in inside containers not over 1 pound net weight each in outside containers not exceeding 25 pounds net weight each, are exempt from specification packaging, marking, and labeling requirements, unless otherwise provided, for transportation by rail freight, rail express, or highway. When for transportation by carrier by water they are exempt from specification packaging, marking other than name of contents, and labeling requirements. (See section 154 for articles not exempted and section 183 for exemptions for nitrates.)

Superseding and amending par. (a) (1), sec. 162, order Nov. 8, 1941, to read as follows (packing charcoal-exemp-

162. (a) (1) Charcoal as described in this paragraph is exempt from specification packaging, marking, and labeling requirements for transportation by rail freight or highway but when for transportation by carrier by water it is exempt from specification packaging, marking other than name of contents, and labeling requirements. When offered for transportation by rail express, charcoal, except charcoal briquettes, must be packed in barrels, bags, and boxes and must bear the yellow label.

Amending sec. 173, order Aug. 16, 1940, as follows (packing potassium perchlorate) (Add):

(m) Potassium perchlorate must be packed in specification containers prescribed in section 173 (b) to (1), or in tight bags which will not permit sifting in transit.

Superseding and amending par. (k) (1), sec. 176, order Nov. 8, 1941, to read as follows (packing matches-exemptions):

(k) (1) Matches, strike-on-box, book and card, in outside fiberboard or wooden boxes, or matches, strike-on-box, book and card when packed with noninflammable articles provided they are included in a tightly closed cardboard or fiberboard container, or are securely wrapped and packed so as to prevent accidental ignition, before being packed in the outside containers, are exempt from specification packaging, marking, and labeling requirements for transportation by rail freight, rail express, or highway. When for transportation by carrier by water they are exempt from specification packaging, marking other than name of contents, and labeling requirements.

Superseding and amending par. (a), sec. 181, order Nov. 8, 1941, to read as follows (packing motion-picture filmexemptions):

181. (a) Motion-picture film as follows is exempt from specification packaging, marking, and labeling requirements for rail freight, rail express, or highway transportation, but when for transportation by carrier by water is exempt from specification packaging, marking other than name of contents, and labeling requirements:

Superseding and amending sec. 183, order Nov. 8, 1941, to read as follows (packing nitrates-exemptions):

183. Nitrate of aluminum, nitrate of ammonia, nitrate of barium, nitrate of lead, nitrate of potash, nitrate of sodium (nitrate of soda), nitrate of strontia, nitro carbo nitrate, calcium nitrate, or other inorganic nitrates and guanidine nitrate, are exempt from specification packaging, marking, and labeling requirements for transportation by rail freight, rail express, and highway when packed as follows: in metal cans in outside fiberboard boxes; in wooden boxes, kegs, or barrels, metal cans, metal drums or fiber drums; in glass bottles in outside fiber boxes not exceeding 25 pounds net weight; calcium nitrate in bags; ammonium nitrate, or guanidine nitrate, in bags containing not over 200 pounds, net weight, made moisture proof, tight against sifting, and of strength not less than bags made of 8-ounce burlap. When for transportation by carrier by water they are exempt from specification packaging, marking other than name of contents, and labeling requirements. (See column 5 of Commodity List, Part 2, for maximum quantity that may be shipped in one outside package by express).

Amending par. (e), sec. 204, order Aug. 16, 1940, as follows (packing sodium hydrosulfite) (Add):

Note: Because of the present emergency and until further order of the Commission, the use of inside metal drums will not be required but in lieu thereof the drum must be supplied with a moisture proof liner, or it must be shipped in spec. 21A fiber drums with one added ply of asphalt laminated Kraft, 30/60/30 basis weight in side walls and heading (metal heading excluded): drums to withstand two drops from height of 4 feet in same spot or one 6-foot drop, in place of drop test as provided in specification 21A; maximum loaded capacity 250 pounds net.

Superseding and amending sec. 244, order Nov. 8, 1941, to read as follows (packing corrosive liquids-exemptions):

244. (a) Acids and other corrosive liquids in quantity not exceeding 1 pound bottles each inclosed in a metal can in the outside package are exempt from specification packaging, marking, and labeling requirements unless otherwise provided, for transportation by rail freight or highway. When for trans-portation by carrier by water they are exempt from specification packaging, marking other than name of contents, and labeling requirements, unless otherwise provided.

(b) Other exemptions from specification packaging, marking, and labeling requirements for rail freight, rail express and highway transportation and exemptions from specification packaging, marking other than name of contents, and labeling requirements for transportation by carrier by water, are shown with the packing requirements for the article.

Superseding and amending par. (a) (1), sec. 250, order Nov. 8, 1941, to read as follows (packing self-propelled vehicles-exemptions):

250 (a) (1) Automobiles or other selfpropelled vehicles equipped with charged electric storage batteries, or with charged electric storage batteries removed from vehicles; and charged electric storage batteries when included in carload or truckload shipments of automobile parts or assembled material are exempt from specification packaging, marking, and labeling requirements as follows:

Amending sec. 253, order Aug. 16, 1940, as follows (packing chloracetyl chloride) (Add):

(e) Spec. 1A or 1C. Carboys in boxes or kegs. Use of these containers will be permitted because of the present emergency and until further order of the Commission.

Superseding and amending pars. (c) and (d), sec. 260, order Nov. 8, 1941, to read as follows (packing electric storage batteries—exemptions):

(c) Electric storage batteries, containing electrolyte or corrosive battery fluid, of the nonspillable type, protected against short circuits and completely and securely boxed are exempt from specification packaging, marking, and labeling requirements for transportation by rail freight, rail express, or highway, but when for transportation by carrier by water they are exempt from specification packaging, marking other than name of contents, and labeling requirements.

(d) Carload or truckload shipments of electric storage batteries containing electrolyte or battery fluid, loaded or braced to prevent damage in transit and short circuits, are exempt from specification packaging, marking, and labeling requirements.

Superseding and amending par. (b) (1), sec. 261, order Nov. 8, 1941, to read as follows (packing fire-extinguisher charges-exemptions):

(b) (1) Fire-extinguisher charges as described in the following paragraphs are exempt from specification packaging, marking, and labeling requirements for transportation by rail freight, rail express, or highway, but when for transportation by carrier by water they are exempt from specification packaging, marking other than name of contents, and labeling requirements:

Amending par. (h) (3), sec. 264, order Nov. 8, 1941, as follows (packing hydrofluoric acid) (Add):

Note: Because of the present emergency and until further order of the Commission, containers of not over 55-gallon capacity each, of 14-gage metal, are authorized, provided test requirements of this paragraph are maintained and provided containers are retired from service after showing a 15 percent loss of tare weight.

Superseding and amending par. (a) (5), sec. 266, order Aug. 16, 1940, to read as follows (packing hydrogen peroxide):

(a) (5) Spec. 42D. Aluminum drums with vented closure in top head; not over 30 gallone capacity. Closure must be sealed to prevent removal in transit and top head plainly marked "KEEP THIS END UP" or "KEEP PLUG UP TO PREVEN1 SPILLAGE". Aluminum drums already in service for the transportation of this material, manufactured prior to April 24, 1934, and of at least equal strength and efficiency thereto, may be continued in use until further order of the Commission.

Superseding and amending pars. (f) and (m), sec. 272, orders Aug. 16, 1940, and Nov. 8, 1941, to read as follows (packing sulfuric acid):

(f) Spec. 103A.—Tank cars. For acid of 1.5591 specific gravity (52°Be.) or greater strength.

(m) Spec. MC310.—Tank motor vehicles. For acid of 1.5591 specific gravity (52°Be.) or greater strength.

Superseding and amending par. (a), sec. 302, order Nov. 8, 1941, to read as follows (packing compressed gasses-exemptions):

302. (a) Compressed gases, except poisonous gases as defined by sec. 326(a), are exempt from specification packaging, marking, and labeling requirements for transportation by rail freight, rail express, or highway, but when for transportation by carrier by water they are exempt from specification packaging, marking other than name of contents, and labeling requirements, as follows:

Amending table, par. (q) (1), sec. 303, order Aug. 16, 1940, as follows (compressed gases in tank cars):

Name of gas	Maximum permitted filling density, Note 1	Required type of tank car, Note 2
(Add) Liquefied hy- drocarbon gas (bu- tadiene) (pressure not exceeding 75 pounds per square inch at 105° Fahr.	Note 3	Note 9: ICC-104A.

Superseding and amending title for table, Note 3 of par. (q) (1), sec. 303, order Aug. 16, 1940, to read as follows (liquefied petroleum gas or butadiene in tank cars):

Maximum Permitted Filling Density in Tank Cars Transporting Liquefied Petroleum Gas or Butadiene of Specific Gravity Shown, Taken at 60 Degrees Fahrenheit

Amending par. (q) (2), sec. 303, order Aug. 16, 1940, as follows (compressed gases in tank cars) (Add):

Note: Because of the present emergency and until further order of the Commission, ICC-107A tanks may be charged with helium to a pressure 10 percent in excess of the marked maximum gas pressure at 130° F. of each tank.

Superseding and amending subpar. 2 of Note added to par. (q) (7), sec. 303, order Dec. 18, 1941, to read as follows (compressed gases in tank cars):

2. Discharge areas of safety valves to be increased so as to be suitable for protection against damage to the largercapacity tanks herein authorized.

Superseding and amending par. (a), sec. 338, order Nov. 8, 1941, to read as follows (packing class B poisons, liquid-exemptions):

338. (a) Poisonous liquids, class B, as defined in sec. 336, except hydrocyanic acid solutions, methyl bromide, motor fuel anti-knock compound, phenyldichlorarsine and tetraethyl lead, in tightly closed inside containers, securely cushioned when necessary to prevent

breakage and packed as follows, are exempt from specification packaging, marking, and labeling requirements for transportation by rail freight, rail express, or highway, but when for transportation by carrier by water are exempt from specification packaging, marking other than name of contents, and labeling requirements:

Superseding and amending pars. (h) and (i), sec. 349, order Aug. 16, 1940, to read as follows (packing poisonous liquids, class B):

(h) Spec. 12B. Fiberboard boxes with glass or earthenware inside containers not over 1 quart capacity each, or with metal inside containers not over 1 gallon capacity each. Packages containing glass or earthenware containers must not weigh over 65 pounds gross.

Superseding and amending par. (a), sec. 352, order Nov. 8, 1941, to read as follows (packing poisonous solids, class B-exemptions):

352 (a) Poisonous solids, class B, except cyanides, other than as specified in sec. 357 (b), in tightly closed inside containers, securely cushioned when necessary to prevent breakage and packed as follows, are exempt from specification packaging, marking, and labeling requirements for transportation by rail freight, rail express, or highway, but when for transportation by carrier by water they are exempt from specification packaging, marking other than name of contents, and labeling requirements:

Amending par. (b), sec. 354, order Aug. 16, 1940, as follows (packing arsenical compounds, n. o. s., etc.) (Add):

Note: Because of the present emergency and until further order of the Commission, wooden hoops as specified in par. 6 of specification 11A may be used in lieu of steel hoops required by specification 10B.

Superseding and amending par. (k), sec. 361, orders Aug. 16, 1940, and July 14, 1942, to read as follows (packing poisonous solids):

(k) Spec. 21A. Fiber drums. Net weight not over 115 pounds each. Or, because of the present emergency and until further order of the Commission, use of the following container will be permitted:

Spec. 21A. Fiber drums. Drums to withstand two drops from height of 4 feet in same spot or one 6-foot drop, in place of drop test as provided in specification 21A; maximum loaded capacity 225 pounds net.

Superseding and amending sec. 422, order Aug. 16, 1940, to read as follows (switching ticket):

422. When the initial movement is a switching operation, the switching order, switching receipt or switching ticket, and copies thereof, prepared by the shipper, must bear the placard indorsement and shipper's certificate prescribed by sec. 584 (a) and sec. 421.

Amending order Aug. 16, 1940, as follows (marking on motor vehicles):

Delete sec. 424 reading as follows: "Marking on motor vehicles. See reg-ulations for marking on motor vehicles contained in Motor Carrier Safety Regulations, Revised, Part 7."

Appendix-Shipping Container Specifications

Amending par. 7, specification 1A, order Aug. 16, 1940, as follows (boxed carboys) (Add):

(f) Special box-Must comply with this specification except as follows: Bottom of box must be nailed to 4 nailing cleats which form part of the sides and ends of box.

Top of box must be reinforced by 2 cleats of 1/2 inch lumber 4 inches wide, extending the entire width of the ton at right angles to the sides of the boards forming the top; a vacant space of 1 inch between outside edge of top and cleat should be allowed for nailing top to box; parts and dimensions must be as

	Minimum dimensions				Nails—sides and bottom		
Carboy capacity, not over (gallons)	Thlek- ness- sides, top and ends	Thick- ness of bottom	Thickness and width of bottom nailing cleats	Carrying cleats and shoes	Triangular vertical corner posts	Size, not less than —	Spacing, average not over 2—
r to 13	(Inch)	(Inches) 25/22	(Inches) 25/52 by 21/2.	(Inches) 2352 by 235.	(Inches) 2½ by 2½ by 3¾.	(Penny) 8 10	(Inches) 2½ 2¾

Superseding and amending par. 9 (a), specification 4B, order Aug. 16, 1940, to read as follows (welded and brazed steel cylinders):

9. (a) Wall thickness. The wall stress shall not exceed 18,000 pounds per square inch for cylinders with longitudinal side seam nor 24,000 pounds per square inch for cylinders without such seam: Provided, That a wall stress of not over 22,800 pounds per square inch is authorized for cylinders with copper brazed seam having strength at least 3/2 times the strength of the steel wall. Minimum wall 0.090 inch for any cylinder over 5-inch outside diameter.

Superseding and amending 2d and 4th items of table, par. 7, specification 6B, order Aug. 16, 1940, to read as follows (steel barrels or drums):

7. Parts and dimensions. As fellows:

Authorized		Minimum thickness in the black (gage, U. S. standard)					
Marked capacity (gallons)	gross weight	Type of con-		C-TEN		Mini	mum
(pounds)		Body sheet	Head sheet	Туре	Size (gage or inch)	Weight (pounds per foot)	
t to 30	480 480	St. sidedo	16 16	16 16	U1 I-bar1	% by 11/4	1. 2

Rolled or swedged-in hoops permitted.

Amending specification 12B, order Aug. 16, 1940, as follows (fiberboard boxes) (Add):

31. Special box. Authorized only for poisonous solids, class B, in 1-gallon metal cans. Must comply with this specification except as follows: Must be 1-piece type, of double-wall corrugated fiberboard at least 400-pound test with all three facings at least 135-pound test; authorized gross weight 84 pounds.

Amending order Aug. 16, 1940, as follows (Add):

SPECIFICATION 13A-FIBER KEGS

General

1. Compliance. Required in all details.

Construction

2. Side walls. To be four or more plies of fiber, spirally wound, with a minimum total thickness of 0.100 inch, the plies being secured together by ad-

- 3. Ends. To be four or more plies of fiber with a minimum total thickness of 0.120 inch, the plies being secured together by adhesive.
- 4. Collars. To be four or more plies of fiber, spirally wound, with a minimum total thickness of 0.100 inch, the plies being secured together by adhesive: said collars to have a minimum overlap of 1.0 inch on the side walls and to be secured thereto by adhesive.
- 5. Reinforcing rings. To be six or more plies of fiber, spirally wound, with a minimum total thickness of 0.200 inch, and a minimum width of 0.500 inch, the plies being secured together by adhesive; said rings to be secured in place by adhesive or by adhesive and stitching.

Closures

6. Slide type. Metal holder, for slide, securely fastened to head; washer of suitable material 0.025 inch thick; metal drop with depression to fit into bung hole and hold washer in place; metal slide to cover the foregoing. Positive fastening required between slide and slide holder to prevent leakage in transit; friction fastening not authorized.

(a) Cap or plug type. Metal holder, for cap or plug, securely fastened to head; metal cap or plug, with gasket when necessary to prevent sifting. Positive fastening required between cap, or plug, and holder to prevent leakage in transit; friction fastening not authorized

Tests

7. Type tests. Sample kegs taken at random, filled with fine dry sand, in weight equal to authorized net weight of shipment, closed as for use, must withstand tests without leakage or serious rupture, as follows:

(a) Keg must be able to withstand four successive drops of 4 feet onto solid concrete so as to strike squarely on the

head.

(b) Keg must be able to withstand one drop from a height of 4 feet onto solid concrete so as to strike diagonally on its top chime.

Note: No single keg shall be expected to withstand both tests (a) and (b).

Superseding and amending headings, table in par. 2, and footnote, specification 21A, order Aug. 16, 1940, to read as follows (fiber drums):

Wooden heads 12 Fiber heads 12

PART 4-REGULATIONS APPLYING PARTICU-LARLY TO CARRIERS BY RAIL FREIGHT

Superseding and amending par. (f), sec 526, order Aug. 16, 1940, to read as follows (loading in car):

(f) Wooden or fiber kegs, barrels, or drums, may be loaded on their sides or ends, as will best suit the conditions.

Superseding and amending Note, par. (g), sec. 526, order Feb. 26, 1942, to read as follows (loading in car):

NOTE: For recommended methods of blocking and bracing, see Bureau of Explosives'
Pamphlets 6 and 6A.

Superseding and amending par. 4 of placard, sec. 549, order Aug. 16, 1940, to read as follows (placard for dangerous explosives, class A):

4. This car must not be placed next to placarded tank cars, wooden-frame flat or gondola cars, carloads of pipe, lumber, poles, iron, steel or similar articles liable to break through end of this car from rough handling; nor next to refrigerator cars equipped with gas burning automatic refrigeration; nor next to cars con-

Screws of equal efficiency authorized.
Spacing 6 inches acceptable along edge grain of bottoms.

¹ Joints in head must be Linderman joints, glued. A butt-jointed, glued wooden head is also authorized because of the present emergency and until further order of the

² Approved metal heads permitted when authorized (see paragraph 5).

taining lighted heaters, stoves or lanterns; nor next to cars with live stock or poultry occupied by an attendant.

Superseding and amending par. (d), sec. 561, order Aug. 16, 1940, to read as follows (tank car unloading):

(d) Caution signs must be so placed on the track or car as to give necessary warning to persons approaching car from open end or ends of siding and must be left up until after car is unloaded and disconnected from discharge connection. Signs must be of metal or other suitable material, at least 12 by 15 inches in size and bear the words, "STOP—Tank Car Connected," or "STOP—Men at Work," the word "STOP" being in letters at least 4 inches high and the other words in letters at least 2 inches high. The letters must be white on a blue background.

Superseding and amending sec. 568, order Aug. 16, 1940, to read as follows (inflammable vapors):

568. A boxcar or container car pla-carded "Dangerous", or known to con-tain inflammable liquids, gases, or vapors must not be entered with a lighted openflame lantern, torch, or other fire, until both car doors have been opened and sufficient time allowed for ventilation and escape of any vapors. The presence of these vapors will generally be indicated by characteristic odors. When leakage is continuous, ventilation will not remove the danger. The leaking package should be located and removed, using electric lights or waiting for daylight.

Superseding and amending sec. 578, order Aug. 16, 1940, to read as follows (inflammable vapors):

578. A box car or container car pla-carded "Dangerous," or known to contain inflammable liquids, must not be entered with a lighted open-flame lantern, torch, or other fire, until both car doors have been opened and sufficient time allowed for ventilation and escape of any vapors. The presence of these vapors will generally be indicated by characteristic odors. When leakage is continuous, ventilation will not remove the danger. leaking package should be located and removed, using electric lights or waiting for daylight.

Superseding and amending par. (g), Sec. 584, order Aug. 16, 1940, to read as follows (waybills, switching orders, or other billing):

(g) At stations where explosives are loaded into a properly certified and placarded car received with other shipments of explosives, or when shipments of explosives are transferred or reloaded, or carload shipments are reconsigned, a record must be kept of the car, originating point, carrier's name and date of car certificate.

Superseding and amending pars. (a), (b) and (c), sec. 588, order Aug. 16, 1940, to read as follows (disposition of damaged or astray shipmen(s):

588. (a) Packages of explosives found injured or broken in transit may be recoopered when this is evidently practicable and not dangerous. A broken

box of high explosives that can not be recoopered should be reinforced by stout wrapping paper and twine, placed in another strong box and surrounded by dry, fine sawdust or dry and clean cotton waste or elastic wads made from dry newspapers. A ruptured can or keg should be sealed with tape and should be inclosed in a grain bag of good quality and boxed. Injured packages thus protected and properly marked may be forwarded. The box and waybill should be marked to indicate that it has been renacked

(b) Particles of explosive compositions from damaged containers possibly may be strewn on car floors or freight, and due care should be exercised in repacking such containers that no sparks may be produced by contact of metal or other hard surfaces, or otherwise. Water will prevent the explosion of practically all explosive substances except dynamite. and in such cases car floors should be thoroughly swept, and washed with a plentiful supply of water. Use of ironwheel trucks, metal hammers or other metal tools that may produce sparks, should be avoided. This restriction does not apply to metal tools made of brass, bronze or copper.

(c) Unless they are leaking, or in a manifestly insecure condition, packages. of dangerous articles other than explosives in transit must be forwarded to destination and report made of any violation observed. Leaking packages must not be forwarded until repaired or recon-

Superseding and amending pars. (c), (i), and (j), sec. 589, order Aug. 16, 1940, to read as follows (handling cars):

(c) Whenever placards or car certificates become detached or lost in transit the carrier must see that they are replaced. If both car certificates are missing, proper inspection, in so far as possible, must be made and new car certificates applied.

(i) Cars placarded "Explosives" must not be placed in through or local trains next to dead engines, placarded tank cars, wooden-frame flat or gondola cars; or carloads of pipe, lumber, poles, iron, steel, or similar lading in open-top cars which may shift and break through end of car placarded "Explosives" due to rough handling; refrigerator cars equipped with automatic refrigeration of the gas-burning type; nor next to cars containing lighted heaters, stoves, or lanterns, or cars with live stock or poultry occupied by an attendant.

(j) Cars placarded "Explosives" must not be placed in through or local trains next to cars which bear "Dangerous" placards, unless the remainder of the train consists only of such cars.

PART 5-REGULATIONS APPLYING TO CARRIERS BY RAIL EXPRESS

Superseding and amending par. (h), sec. 655, order Nov. 8, 1941, to read as follows (handling packages):

(h) It is important to prevent contact of contents of packages bearing either yellow or white corrosive liquid labels with combustible substances, such

as sawdust, shavings, or sweepings, that may be present in express cars. space should be swept or cleaned.

It is further ordered. That the aforesaid regulations as further amended herein shall remain in full force and effect on and after February 1, 1943. and shall be observed until the further order of the Commission;

It is further ordered, That compliance with the aforesaid regulations, as amended, made effective by this order, is hereby authorized on and after the date

of service hereof;

And it is further ordered. That copies of this order be served upon all the parties of record herein and that notice be given to the public by posting in the Office of the Secretary of the Commission at Washington, D. C.

By the Commission, division 3.

[SEAL]

W. P. BARTEL, Secretary.

[F. R. Doc. 42-12151; Filed, November 20, 1942; 11:05 a, m.]

PART 97-ROUTING OF TRAFFIC

ROUTING BETWEEN MONROE AND ALEXANDRIA, LA.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 21st day of November, A. D. 1942.

Upon consideration of a petition filed by Guy A. Thompson, Trustee, Missouri Pacific Railroad Company, requesting an order authorizing it to operate trains, I comotives and cars, southbound, over a portion of the tracks of the Louisiana & Arkansas Railway Company, the Com-mission is of the opinion that, due to the existing state of war, an emergency requiring immediate action exists on the line of the Missouri Pacific Railroad between Monroe and Alexandria, La

It appearing, That an agreement has been entered into between Guy A. Thompson, Trustee, Missouri Pacific Railroad Company, and the Louisiana & Arkansas Railway Company whereby such last named railway company has consented to the use of its tracks by the Missouri Pacific Railroad Company between Georgetown and Tioga, via Packton, all in the State of Louisiana, a distance of approximately 42.5 miles; and that the compensation to be paid by the Missouri Pacific Railroad Company to the Louisiana & Arkansas Railway Company for the use of the track of the latter has been agreed upon; therefore, in order to best promote the service in the interest of the public and the commerce of the people:

It is ordered, That:

§ 97.1 Routing between Monroe and Alexandria, La. Guy A. Thompson, Trustee, Missouri Pacific Railroad Company, is hereby authorized and directed after 12:01 a. m. November 24, 1942, and continuing until further order of the Commission, to operate trains, locomotives, and cars, southbound, over the tracks of the Louisiana & Arkansas Railway Company between Georgetown and Tioga, via Packton, all in the State of

Louisiana, an approximate distance of 42.5 miles, only at times when, in the opinion of Guy A. Thompson, Trustee, Missouri Pacific Railroad Company, such operation is necessary to prevent delay in the movement of railroad equipment, troops, and war materials and congestion of traffic on the main line of the Missouri Pacific Railroad Company between Monroe and Alexandria, La., and only during th period of the war emergency; compensation to be paid by Guy A. Thompson, Trustee, Missouri Pacific Railroad Company, to the Louisiana & Arkansas Railway Company for the use of such track as agreed upon between the parties.

It is further ordered, That copies of this order and direction be served upon Guy A. Thompson, Trustee, Missouri Pacific Railroad Company and the Louisiana & Arkansas Railway Company and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement, and that notice of this order be given to the general public by depositing a copy of this order in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register, The National Archives. (40 Stat. 101, sec. 402, 41 Stat. 476-477; 49 U.S.C. 1 (15)-(17))

By the Commission, division 3.

[SEAL]

W. P. BARTEL, Secretary.

[F. R. Doc. 42-12284; Filed, November 23, 1942; 11:23 a. m.]

PART 123-FREIGHT COMMODITY STATISTICS

MONTHLY REPORTS OF FREIGHT COMMODITY STATISTICS

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 13th day of November, A. D. 1942.

It is ordered, That the order of this

It is ordered. That the order of this Commission dated November 22, 1927, as amended by the orders of December 14, 1938, and April 27, 1942, and the order of November 16, 1939, as amended by the orders of December 14, 1939, and April 27, 1942, in the matter of Freight Commodity Statistics of carriers by steam railway, and corresponding sections of the Code of Federal Regulations, are hereby modified as follows:

§ 123.1a Monthly reports of freight commodity statistics. Beginning with the month of October 194., and thereafter until further order, data relating to freight commodity statistics heretofore reported quarterly (§ 123.1) (on Form QCS) by Class I steam railways other than switching and terminal companies, shall be reported monthly and annually instead of quarterly as heretofore (§ 123.1), by such carriers on Form MCS, which is attached hereto and made a part of this order.

§ 123.6 Date of filing. The reports required to be filed under § 123.1a shall

be forwarded in duplicate to the Bureau of Transport Economics and Statistics, Interstate Commerce Commission, Washington, D. C., on or before the last day of the second month succeeding the close of the period for which they are compiled.

§ 123.10 * * *

(f) I*onthly reports of freight commodity statistics by geographic areas. Beginning with the month of October 1942, and thereafter until further order, data relating to freight commodity statistics by geographic areas heretofore reported quarterly by Class I carriers (§ 123.10 (c)) shall be reported monthly and annually instead of quarterly as heretofore (§ 123.10 (c)) by such carriers including those operating in a single geographic area (§§ 123.10 (d) and 123.13 (c)) on Form SCS, which is attached hereto and made a part of this order.³

§ 123.13 (h) Date of filing. The reports required to be filed under § 123.10 (f) shall be forwarded in duplicate to the Bureau of Transport Economics and Statistics, interstate Commerce Commission, Washington, D. C., on or before the seventy-fifth day succeeding the close of the period for which they are compiled. (Sec. 20, 24 Stat. 386, sec. 7, 34 Stat. 593, 36 Stat. 649, sec. 14, 36 Stat. 556, secs. 434-436, 41 Stat. 493, 494, sec. 13, 54 Stat. 916; 49 USC. 20 (1)-(10)

By the Commission, division 1.

[SEAL]

W. P. BARTEL, Secretary.

[F. R. Doc. 42-12285; Filed, November 23, 1942; 11:23 a. m.]

Chapter II—Office of Defense Transportation

[General Order O. D. T. 1, Amendment 3]

PART 500—CONSERVATION OF RAIL EQUIP-MENT

SUBPART A-MERCHANDISE TRAFFIC

By virtue of the authority vested in me by Executive Order No. 8989, dated December 18, 1941, and by Executive Order No. 9156, dated May 2, 1942, General Order O. D. T. No. 1, as amended,² Title 49, Chapter II, Part 500, Subpart A, § 500.1, is hereby amended to read as follows:

§ 500.1 Definitions. As used in this subpart:

(a) The term "Carrier" includes every carrier for hire, common or contract, operating in whole or in part by railroad, by motor vehicle, by inland waterways (including coastal canals), or as a freight forwarder;

(b) The term "Merchandise" means less-than-carload and any quantity shipments which are transported, or the responsibility for the transportation of which shipments is assumed, or the transportation provided, by any carrier, except shipments transported in passenger train cars.

*7 F.R. 3046, 3213, 3753.

This amendment shall become effective on November, 23, 1942.

Issued at Washington, D. C., this 23d day of November 1942.

JOSEPH B. EASTMAN, Director of Defense Transportation.

[F. R. Doc. 42-12280; Filed, November 23, 1942; 11:18 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. A-1362]

DELTA COAL MINING CO.

MEMORANDUM OPINION AND NOTICE OF AND ORDER FOR REOPENING THE HEARING

In the matter of the petition of Delta Coal Mining Company, a code member in District No. 10, for minimum f. o. b. mine prices for f. a. s. delivery from mines in District No. 10 to Minneapolis Street Railway Company, at Minneapolis, Minnesota, pursuant to section 3 (A), special river price instructions and exceptions, schedule of effective minimum prices for District No. 10 for all shipments except truck, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

This proceeding was instituted upon a petition filed with the Bituminous Coal Division on March 18, 1942, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, by Delta Coal Mining Company, a code member in District No. 10, requesting an order permitting Minneapolis Street Railway Company of Minneapolis, Minnesota, to purchase coals shipped via river by producers in District No. 10 at f. o. b. mine prices for free alongside delivery.

Petitions of intervention were filed by District Boards 2, 6, 7, 8, 10, and 11. The Bituminous Coal Consumers' Counsel filed a notice of appearance.

Pursuant to appropriate notice, a hearing was held before Charles O. Fowler, a duly designated Examiner of the Division, at which all interested persons were afforded an opportunity to be present, adduce evidence, cross-examine witnesses, and otherwise be heard, and at which petitioner, Consumers' Counsel, and all interveners except District Board 10 appeared.

On September 4, 1942, the Examiner filed herein his report, proposed findings of fact, proposed conclusions of law and recommendations that the relief prayed for be granted.

On October 6, 1942, a final order was entered by the undersigned approving and adopting the Examiner's proposed findings of fact and proposed conclusions of law and granting the relief prayed for.

On October 12, 1942, interveners, District Boards Nos. 2 and 7, filed a petition for reconsideration and modification of the order granting permanent relief and for rehearing.

In comparing the respective costs of coals produced in District No. 7 when

Filed as part of the original document.

shipped via the Great Lakes with those produced in District No. 10 when shipped by river to the Minneapolis Street Railway Company plant in Minneapolis, Minnesota, the Examiner found that the rail transportation costs for shipment of District No. 7 coals, to the lower Lake Erie ports, was \$2.17 and that the dumping charge was \$0.095 per net ton, aggregating \$2.265 per net ton, which, together with the minimum f. o. b. mine price, vessel rate, dock handling charge and exdock freight rate made a delivered charge of \$6.34 per net ton. The Examiner found that the delivered costs of Delta Coal Mining Company coals delivered by river was \$4.7852 free alongside. It was found that there was a difference between the two coals of approximately 5.000,000 b. t. u. per net ton. In determining the relative value of the two coals, this difference was taken into account. Also, certain findings were made with respect to the costs of storing District No. 10 coal at both the power company's plant and the municipal dock.

In the petition for reconsideration and rehearing, it is alleged that the evidence on which such findings were based was inaccurate. The petition for rehearing alleges that the transportation cost of shipping District No. 7 coal via the Great Lakes aggregated \$2.125 per net ton, from the mine to lower Lake Erie ports (including the dumping charge), instead of the \$2.265 shown by the evidence and found by the Examiner, thus resulting in a delivered cost of only \$6.20 per net The petition further alleges that the determinations as to storage costs of the District No. 10 coal are erroneous. The interveners offer to make proof with respect to these allegations if given an opportunity to do so.

While no excuse is given for the failure to make such proof at the original hearing, it is important that the record in this matter be accurate. Accordingly, the intervener should be given an opportun-

ity to make the proof it offers.

I find, therefore, that the hearing in this proceeding should be reopened for the purpose of receiving evidence with respect to the freight rates applicable to coals produced in District No. 7 moving via the Great Lakes to the power company plant at Minneapolis and with respect to the storage and storage charges for District No. 10 coals moving by river to that plant.

Since, however, there is no showing that the proof here offered could not have been offered at the prior hearing, and since there is no showing that continuance of the relief granted will injure any person, the relief should be continued.

Now, therefore, it is ordered, That the hearing in this proceeding be and the same hereby is reopened for the purpose of taking additional evidence, not cumulative of evidence already adduced, relating to the transportation costs for shipment of District No 7 coal via the Great Lakes to the Minneapolis Street Railway Company plant at Minneapolis, Minnesota, and to the storage of and storage charges for District No. 10 coal when shipped via river to that plant of the Minneapolis Docks.

It is further ordered, That such reopened hearing be held on January 5, 1943, at 10 o'clock in the forenoon of that date before Examiner Charles O. Fowler, at a hearing room of the Bituminous Coal Division, Washington, D. C. On such day the Chief of the Records Section of the Division will advise as to the room where such hearing will be held.

It is further ordered, That the relief granted by the Order in this proceeding dated October 6, 1942, 7 F. R. 7960, continue until otherwise ordered.

It is further ordered, That the petition of interveners, District Boards Nos. 2 and 7, be, and the same hereby is, granted to the extent set forth herein and in all other respects denied.

The matter concerned herewith is in regard to the petition of Delta Coal Mining Company, a code member in District No. 10, for minimum f. o. b. mine prices for free alongside delivery from mines in District No. 10 to Minneapolis Street Railway Company, at Minneapolis, Minnesota, pursuant to section 3 (A), Special River Price Instructions and Exceptions, Schedule of Effective Minimum Prices for District No. 10, for all shipments except truck, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

Dated: November 20, 1942.

[SEAL]

DAN H. WHEELER, Director.

[F.R. Doc. 42-12165; Filed, November 20, 1942; 12; 42 p. m.]

[Docket Nos. A-1718 and A-1718, Part II]
DISTRICT BOARD 8

NOTICE OF AND ORDER FOR HEARING, ETC.

In the matter of the petition of District Board No. 8 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 8.

In the matter of the petition of District Board No. 8 for the establishment of price classifications and minimum prices for the coals of the No. 2 Mine, Mine Index No. 5746, of T. V. McMahan and the Poplar Lick Mine, Mine Index No. 5643, of the Garmeada Coal Company.

Memorandum opinion and order severing Docket No. A-1718 Part II from Docket No. A-1718, and granting temporary relief in Docket No. A-1718 Part II, and notice of and order for hearing.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 8; and

It appearing that no final determination should be made at this time with respect to the establishment of permanent price classifications and minimum prices for the coals of the Poplar Lick Mine, Mine Index No. 5643, of the Garmeada Coal Company, and of the No. 2 Mine, Mine Index No. 5746, of T. V.

McMahan as requested in the original petition heretofore filed in this matter; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the aboveentitled matter; and

The following action being deemed necessary in order to effectuate the pur-

poses of the Act;

Now, therefore, it is ordered. That the portion of Docket No. A-1718 relating to the coals of the Poplar Lick Mine, Mine Index No. 5643, of the Garmeada Coal Company, and of the No. 2 Mine, Mine Index No. 5746, of T. V. McMahan, be, and the same hereby is, severed from said docket and designated as Docket No. A-1718, Part II.

It is further ordered, That a hearing in the above-entitled matter under the applicable provisions of the Bituminous Coal Act of 1937 and the rules of the Division be held on December 16, 1942, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, Washington, D. C. On such day the Chief of the Records Section will advise as to the room where such hearing

will be held. It is jurther ordered, That Charles S. Mitchell or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, to continue said hearing from time to time, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in this proceeding and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before December 10, 1942.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervention, or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to the petition of District Board No. 8 for the establishment of permanent price classifications and minimum prices

for the coals of the Poplar Lick Mine, Mine Index No. 5643, of the Garmeada Coal Company, and the No. 2 Mine, Mine Index No. 5746, of T. V. McMahan.

It is further ordered, That, pending final disposition of the above-entitled matter, temporary relief be, and the same hereby is, granted as follows: Commencing forthwith, the Schedule of Effective Minimum Prices for District No. 8 for Truck Shipments is supplemented to include the price classifications and minimum prices appearing in "Supplement T" annexed hereto and made a part hereof.

Dated: November 19, 1942.

[SEAL]

DAN H. WHEELER, Director.

[F. R. Doc. 42-12164; Filed, November 20, 1942; 12:41 p. m.]

[Docket No. A-1747] DISTRICT BOARD 17

NOTICE OF AND ORDER FOR HEARING

In the matter of the petition of District Board No. 17 to amend the specifications for size groups Nos. 1 and 2.

A petition, pursuant to the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party;

It is ordered, That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be held on November 24, 1942, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal D'vision, at the Plains

Hotel, Cheyenne, Wyoming.

It is further ordered, That Edward J. Hayes, or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by

Notice or such hearing is hereby given to all parties herein and to persons or entities having an interest in this proceeding and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division at or before the time of said hearing.

All persons are hereby notified that the hearing in the above entitled matter and any orders entered therein, may concern, in addition to the matter specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of intervention or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to the petition of District Board No. 17 to amend the specifications for Size Groups Nos. 1 and 2 on page 2 of the Schedule of Effective Minimum Prices for District No. 17 for All Shipments to read as follows:

Size group No.	Single screened sizes	Double screened sizes		
	Maximum screen opening	Maximum top	by	aximum bottom
1 2	8" and over.	12" 12"	x	3"

1134" applies from subdistricts 1 to 6, inclusive.

Dated: November 19, 1942.

[SEAL]

DAN H. WHEELER, Director.

[F. R. Doc. 42-12161; Filed, November 20, 1942; 12:41 p. m.]

[Docket No. 1708-FD]

SHEBAN MINING COMPANY

ORDER GRANTING APPLICATION FOR RESTORA-

A complaint dated June 6, 1941, pursuant to the provisions of sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act") having been duly filed on June 11, 1941, by the Bituminous Coal Producers Board for District No. 4, complainant, with the Bituminous Coal Division (the "Division") alleging that Sheban Mining Company (Karam Sheban), wilfully violated the Bituminous Coal Code (the "Code") or rules and regulations thereunder; and

An order having been issued herein on July 17, 1942, revoking and canceling the Code membership of the Applicant, effective fifteen (15) days from the date of said order, and ordering that prior to any reinstatement thereof, there shall be paid to the United States a tax of Three Thousand Five Hundred and Fifteen Dollars and Eight Cents (\$3,515.08) as provided by section 5 (c) of the Act, and said order having been served on the Applicant on July 23, 1942; and

An application, dated November 6, 1942, for restoration of membership in the Code having been filed by said Applicant with the Division on November 9, 1942; and

It appearing from said application that on August 17, 1942, Applicant paid said tax of Three Thousand Five Fundred and Fifteen Dollars and Eigh Cents (\$3,515.08), to the Collector of Internal Revenue at Cleveland, Ohio, pursuant to said Order issued July 17, 1942, and section 5 (c) of the Act, as a condition precedent to the restoration of membership in the Code;

Now, therefore, it is ordered, That said application be, and the same hereby is, granted; and

It is further ordered, That the Code membership of Sheban Mining Company (Karam Sheban) be and the same hereby is restored as of the effective date of said revocation of Code membership.

Dated: November 19, 1942.

[SEAL]

DAN H. WHEELER, Director.

[F. R. Doc. 42-12163; Filed, November 20, 1942; 12:41 p. m.]

[Docket No. A-1620]

SUPERIOR COAL CO.

NOTICE OF AND ORDER FOR HEARING, ETC.

In the matter of the new Superior Coal Co. for the establishment of price classifications and minimum prices in District No. 10.

Notice of and order for hearing and order granting temporary relief and order terminating temporary relief here-

tofore granted.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, was filed with the Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of its New Superior Coal Co. Mine, Mine Index No. 1202, in District No. 10 for shipment by

rail from Harrisburg, Illinois. By Order issued September 10, 1942, 7 F. R. 7382, in the above-entitled matter, temporary relief was granted and provision was made that such relief would become conditionally final in 60 days from date of the Order, unless it should be otherwise ordered. This Order established for the coals produced by the New Superior Coal Co. Mine, Mine Index No. 1202, in District No. 10, the same price classifications and minimum prices as those in effect for the coals produced at mines located in Price Group No. 5 in District No. 10 and established Harrisburg, Illinois, on the New York Central Railroad as the rail shipping point for that mine instead of the McLaren Fuel Company's preparation plant located on the Illinois Central and the Missouri Pacific Railroads at Marion, Illinois. By a "Note" contained in the schedule marked "Supplement R," which was annexed to the Order and made a part thereof, the relief granted by the Order of February 17, 1942, 7 F. R. 1538, in Docket No. A-1079 was terminated. The Order also revoked the relief previously granted the coals of Mine Index No. 1202 of the New Superior Coal Co. by the Order of February 17, 1942, in Docket No. A-1079.

Subsequent to the date of the Order granting temporary relief in the above-entitled matter, District Board No. 10 filed a motion to terminate the temporary relief granted in Docket No. A-1620 and requested a hearing in the matter. The district board alleged in its petition that the establishment of separate prices for shipment by rail from the mine of

the New Superior Coal Co. would prejudice the rights and interests of the other mines which had been granted the right to ship from the transportation facilities of the McLaren Fuel Company's preparation plant at Marion, Illinois, by Order in Docket No. A-1079. McLaren Fuel Company also filed a petition of intervention and requested that the temporary relief theretofore granted in Docket No. A-1620 be suspended pending a hearing.

Thereafter, on October 10, 1942, petitioner filed its motion for leave to file an amended petition and simultaneously filed its amended petition, requesting that the New Superior Mine be classified and priced in Price Group 2, District No. 10, rather than in Pric. Group 5. District No. 10 and that its shipping point be continued at Harrisburg, Illinois, and praying that temporary relief be granted pending the final disposition of the matter. In support of the relief requested in the amended petition, petitioner stated that its original petition was in error inasmuch as its coals are shipped from Harrisburg, Illinois, on the New York Central Railroad and accordingly the mine should be included in Price Group 2 in District No. 10 rather than in Price Group 5 in District No. 10. Both District Board No. 10 and the McLaren Fuel Company have filed petitions of intervention in support of the temporary relief requested in the amended petition filed by code member C. C. Stump, operator of the New Superior Coal Company Mine. Accordingly, in view of the foregoing, it appears that a reasonable showing of necessity has been made for the granting of the temporary relief requested in the amended petition filed herein pending final disposition of the above-entitled matter.

Now, therefore, it is ordered, That the relief heretofore granted in Docket No. A-1620 by Order of the Acting Director dated September 10, . 142, 7 F.R. 7382, be and it hereby is vacated and set aside.

It is further ordered, That pending final disposition of the above-entitled matter, temporary relief be and the same hereby is granted as follows: Commencing forthwith, the Schedule of Effective Minimum Prices for District No. 10 For All Shipments Except Truck, is supplemented to include the price classifications and minimum prices set forth in the schedule marked "Temporary Supplement R" annexed hereto and made a part hereof.

It is further ordered. That the price classifications and minimum prices established for the coal of mines other than Mine Index No. 1202 of the New Superior Coal Co. Mine by Order Granting Temporary Relief and Conditionally Providing for Final Relief in Docket No. A-1079 on February 17, 1942, 7 F.R. 1538, shall remain in full force and effect.

It is further ordered, That at the hearing herein provided for the petitioner shall show the extent, if any, to which the minimum prices applicable to its truck shipments should be revised and related to any change in price classifications and minimum prices for all shipments except truck as herein requested.

It is jurther ordered. That a hearing in the above-entitled matter under the applicable provisions of the Bituminous Coal Act of 1937 and the rules of the Division be held on January 7, 1943, at 10 o'clock in the forenoon of that day at a hearing room of the Bituminous Coal Division, Washington, D. C. On such day, the Chief of the Records Section will advise as to the room where such hearing will be held.

It is further ordered, That D. C. Mc-Curtain or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officer or officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, take evidence, to continue said hearing from time to time, and to prepare and submit proposed findings of fact and conclusions and the recommendation of an appropriation order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in this proceeding and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before January 2, 1943.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein may concern, in addition to the matters specifically alleged in the petition, other matters incidental and related thereto, which may be raised by amendment to the petition, petitions of intervention, or otherwise, or which may be necessary corol-laries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to the original petition of the New Superior Coal Co. for the establishment in District No. 10 of the same price classifications and minimum prices as those in effect for the coals produced from other mines located in Price Group 5 and for the establishment of Harrisburg, Illinois, on the New York Central Railroad as the rail shipping point for all shipments except truck for the coals produced by the New Superior Coal Co. Mine, Mine Index No. 1202; and in regard to petitioner's amended petition for the establishment of price classifications and minimum prices in Price Group 2 rather than in Price Group 5 for the coals of its Mine Index No. 1202 in District No. 10. In addition the question of correct price classifications and minimum prices applicable to petitioner's truck shipments in relation to any change in price classifications and minimum prices for all shipments except truck as herein requested, shall be considered.

Dated: November 19, 1942.

[SEAL] DAN H. WHEELER, Director.

[F. R. Doc. 42-12162; Filed, November 20, 1942; 12:41 p. m.]

General Land Office.

[Public Land Order 49]

NEW MEXICO

WITHDRAWING PUBLIC LAND FOR USE OF DE-PARTMENT OF JUSTICE IN CONNECTION WITH THE TRAINING OF OFFICERS FOR IMMIGRATION BORDER PATROL

By virtue of the authority vested in the President and pursuant to Executive Order No. 9146 of April 24, 1942, and to section 1 of the act of June 28, 1934, as amended, c. 865, 48 Stat. 1269 (U. S. C., title 43, sec. 315), it is ordered as follows:

Subject to valid existing rights, the following-described public land is hereby withdrawn from all forms of appropriation under the public-land laws, including the mining laws, and reserved for the use of the Department of Justice in connection with the training of officers for border patrol in the Immigration and Naturalization Service:

NEW MEXICO PRINCIPAL MERIDIAN

T. 27 S., R. 3 E., sec. 30.

The area described contains 635.54 acres.

The order of the Secretary of the Interior of July 11, 1935, establishing New Mexico Grazing District No. 3, is hereby modified to the extent necessary to permit the use of the land as herein provided.

It is intended that the land described herein shall be returned to the administration of the Department of the Interior when it is no longer needed for the purpose for which it is reserved.

> HAROLD L. ICKES. Secretary of the Interior.

OCTOBER 30, 1942.

[F. R. Doc. 42-12209; Filed, November 21, 1942; 10:18 a. m.]

[Public Land Order 51] ARIZONA

WITHDRAWING PUBLIC LANDS FOR USE OF THE DEFENSE PLANT CORPORATION IN CONNEC-TION WITH THE OPERATION OF A SCHOOL FOR TRAINING ARMY AIRCRAFT PILOTS

By virtue of the authority vested in the President and pursuant to Executive Order No. 9146 of April 24, 1942, it is ordered as follows:

Subject to valid existing rights, the following-described public lands are hereby withdrawn from all forms of appropriation under the public-land laws. including the mining and mineral leasing laws, and reserved for the use of the Defense Plant Corporation in connection with the operation of a school for training army aircraft pilots.

GILA AND SALT RIVER MERIDIAN

T. 15 S., R. 11 E., sec. 12, E½ and SW¼. The areas described aggregate 480 acres.

This order shall take precedence over, but shall not rescind or revoke, the temporary withdrawal for classification and other purposes made by Executive Order No. 6910 of November 26, 1934, as amended, so far as such order affects the above-described lands.

It is intended that the lands described herein shall be returned to the administration of the Department of the Interior, when they are no longer needed for the purpose for which they are reserved.

HAROLD L. ICKES, Secretary of the Interior.

NOVEMBER 3, 1942.

[F. R. Doc. 42-12210; Filed, November 21, 1942; 10:18 a. m.]

[Public Land Order 52]

NEW MEXICO

WITHDRAWING PUBLIC LAND FOR USE OF THE WAR DEPARTMENT AS A BOMBING RANGE

By virtue of the authority vested in the President and pursuant to Executive Order No. 9146 of April 24, 1942, and section 1 of the act of June 28, 1934, as amended, c. 865, 48 Stat. 1269 (U. S. C., title 43, sec. 315), it is ordered as follows:

Subject to valid existing lights, the following-described public land is hereby withdrawn from all forms of appropriation under the public-land laws, including the mining laws, and reserved for the use of the War Department as a bombing

NEW MEXICO PRINCIPAL MERIDIAN

T. 2 S., R. 21 E., sec. 31. The area described contains 614.22 acres.

The order of the Secretary of the Interior of April 8, 1935, establishing New Mexico Grazing District No. 6, is horeby modified to the extent necessary to permit the use of the land as herein provided.

It is intended that the land described herein shall be returned to the administration of the Department of the Interior when it is no longer needed for the purpose for which it is reserved.

> HAROLD L. ICKES, Secretary of the Interior.

NOVEMBER 3, 1942.

[F. R. Doc. 42-12211; Filed, November 21, 1942; 10:18 a. m.]

[Public Land Order 53]

NEVADA

WITHDRAWING PUBLIC LANDS FOR USE OF THE WAR DEPARTMENT AS A BOMBING RANGE

By virtue of the authority vested in the President and pursuant to Executive Order No. 9146 of April 24, 1942, and to section 1 of the act of June 28, 1934, as amended, c. 865, 48 Stat. 1269 (U.S.C., title 43, sec. 315), it is ordered as follows:

Subject to valid existing rights, the public lands in the following-described areas are hereby withdrawn from all forms of appropriation under the publicland laws, including the mining and mineral leasing laws, and reserved for the use of the War Department as abombing range:

MOUNT DIABLO MERIDIAN

T. 33 N., R. 24 E. secs. 1, 2, 11, 12, 14, 15, 22, and 28; secs. 13, 23, 24, 26, 27, 33, and 34, those parts northwest of the Western Pacific Railroad; unsurveyed.

T. 34 N., R. 24 E., secs. 1, 12, 13, 24, 25, 26, 35, and 36, unsurveyed.

Tps. 33 and 34 N., R. 25 E., those parts northwest of the Western Pacific Railroad, unsurveyed. T. 35 N., R. 25 E., unsurveyed.

T. 36 N., R. 25 E., secs, 1 and 2; sec. 3, E1/2; sec. 10, E1/2 secs. 11 to 14, inclusive; sec. 15, E1/2; sec. 22, E1/6;

T. 36 N., R. 25 E., (con't) secs. 23 to 26, inclusive; sec. 27, E1/2; sec. 34, E1/2

secs. 35 and 36; partly unsurveyed.

T. 37 N., R. 25 E. secs. 1, 12, 13, 24, and 25; sec. 34, E1/2; secs. 35 and 36.

T. 38 N., R. 25 E., secs. 1, 12, 13, 24, 25, and 36; partly unsurveyed.

T. 34 N., R. 26 E.

that part northwest of the Western Pacific

Railroad, unsurveyed. Tps. 35 to 38 N., R. 26 E., partly unsurveyed. T. 39 N., R. 26 E.,

sec. 22, E1/2; secs. 23 to 26, inclusive; sec. 27, $E\frac{1}{2}$; secs. 31 to 36, inclusive.

T. 34 N., R. 27 E., that part north of the Western Pacific Railroad, unsurveyed.

Tps. 35 to 38 N., R. 27 E., unsurveyed. T. 39 N., R. 27 E., secs. 1 and 2;

secs 11 to 15, inclusive; secs. 19 to 36, inclusive; partly unsurveyed.

T. 40 N., R. 27 E., secs. 12, 13, 24, 25, and 36.

T. 35 N., R. 28 E. that part north of the Western Pacific Railroad, unsurveyed.

Tps. 36 to 40 N., R. 28 E., partly unsurveyed, T. 35 N., R. 29 E.,

that part northwest of the Western Pacific Railroad, unsurveyed.

Tps. 36 to 40 N., R. 29 E., unsurveyed. T. 36 N., R. 30 E., secs. 3 to 10, inclusive;

secs. 15 to 22, inclusive; secs. 29 to 32, inclusive; unsurveyed. T. 37 N., R. 30 E., secs. 3 to 10, inclusive;

secs. 15 to 22, inclusive;

secs. 27 to 34, inclusive. T. 38 N., R. 30 E., secs. 2 to 11, inclusive; secs. 14 to 22, inclusive;

secs. 27 to 34. inclusive; partly unsurveyed.

T. 39 N., R. 30 E., secs. 2 to 11, inclusive; secs. 14 to 23, inclusive;

secs. 26 to 35, inclusive; partly unsurveyed.

T. 40 N., R. 30 E., secs. 2 to 11, inclusive; secs. 14 to 23, inclusive; secs. 26 to 35, inclusive.

T. 41 N., R. 30 E.,

secs. 19 to 23, inclusive; secs. 26 to 35, inclusive; partly unsurveyed.

The areas described, including both public and non-public lands, aggregate approximately 623,000 acres.

This order shall take precedence over, but shall not rescind or revoke (1) the withdrawal made by Executive order of April 17, 1926, creating Public Water Reserve No. 107, and (2) the temporary withdrawal for classification and other purposes made by Executive Order No. 6910 of November 26, 1934, as amended, so far as such orders affect the abovedescribed lands.

The orders of the Secretary of the Interior of October 18, 1935, and May 16, 1941, respectively establishing and enlarging Nevada Grazing District No. 2, are hereby modified to the extent necessary to permit the use, as herein pro-vided, of so much of the above-described lands as are affected by such orders.

It is intended that the lands described herein shall be returned to the administration of the Department of the Interior when they are no longer needed for the purpose for which they are reserved.

> HAROLD L. ICKES, Secretary of the Interior.

NOVEMBER 4, 1942.

[F. R. Doc. 42-12212; Filed, November 21, 1942; 10:18 a. m.]

[Public Land Order 54]

ARIZONA

REVOKING IN PART PUBLIC LAND ORDER NO. 22 WHICH WITHDREW PUBLIC LANDS FOR USE OF THE WAR DEPARTMENT AS BOMBING

By virtue of the authority vested in the President and pursuant to Executive Order No. 9146 of April 24, 1942, it is ordered as follows:

Public Land Order No. 22 of August 6, 1942, withdrawing public lands for use of the War Department as bombing ranges, is hereby revoked so far as it affects the following-described public lands:

GILA AND SALT RIVER MERIDIAN

T. 5 S., R. 15 E., sec. 34, SE1/4; sec. 35, SW 1/4 T. 6 S., R. 15 E., sec. 3, lots 1, 2, S½NE¼.

The areas described aggregate 464.69 acres.

The lands described herein are hereby returned to the administration of the Department of the Interior.

> HAROLD L. ICKES, Secretary of the Interior.

NOVEMBER 5, 1942.

[F. R. Doc. 42-12213; Filed, November 21, 1942; 10:18 a. m.]

[Public Land Order 55] NEW MEXICO

WITHDRAWING PUBLIC LANDS FOR USE OF THE WAR DEPARTMENT AS PRACTICE BOMBING

By virtue of the authority vested in the President and pursuant to Executive Order No. 9146 of April 24, 1942, and to section 1 of the act of June 28, 1934, as amended, c. 865, 48 Stat. 1269 (U. S. C., title 43, sec. 315), it is ordered as follows:

Subject to valid existing rights, the following-described public lands are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and mineral leasing laws, and reserved for the use of the War Department as practice bombing

NEW MEXICO PRINCIPAL MERIDIAN

T. 22 S., R. 32 E., sec. 13.

19 S., R. 33 E., sec. 4

22 S., R. 33 E., sec. 12, N1/2

T. 19 S., R. 34 E., sec. 29.

The areas described aggregate 2,248.52 acres.

This order shall take precedence over, but shall not rescind or revoke, the withdrawal made by the Executive order of March 11, 1926 (Potash Reserve No. 6) so far as such order affects the above-described lands.

The order of April 8, 1935, of the Secretary of the Interior establishing New Mexico Grazing District No. 6, is hereby modified to the extent necessary to permit the use of the above-described lands as herein provided.

It is intended that the lands described herein shall be returned to the administration of the Department of the Interior when they are no longer needed for the purpose for which they are reserved.

HAROLD L. ICKES, Secretary of the Interior.

NOVEMBER 5, 1942.

[F. R. Doc. 42-12214; Filed, November 21, 1942; 10:19 a. m.]

[Public Land Order 57]

UTAH

WITHDRAWING PUBLIC LANDS FOR USE OF THE WAR DEPARTMENT AS AN ORDNANCE STOR-AGE DEPOT SITE

By virtue of the authority vested in the President and pursuant to Executive Order No. 9146 of April 24, 1942, and to section 1 of the act of June 28, 1934, as amended, c. 865, 48 Stat. 1269 (U. S. C., title 43, sec. 315), it is ordered as follows:

Subject to valid existing rights, the public lands in the following-described areas are hereby withdrawn from all forms of appropriation under the publicland laws, including the mining and mineral leasing laws, and reserved for the use of the War Department as an ordnance storage depot site:

SALT LAKE MERIDIAN

T. 3 S., R. 4 W.

sec. 18, NW 1/4 SW 1/4 and S1/2 SW 1/4;

sec. 19, SW \(\) NE \(\) \ NW \(\) and S \(\) \(\) \ SW \(\) \ SE \(\) \ and SW \(\) \(\) \ SE \(\) \(\) \ sec. 30, SW \(\) SW \(\)

T. 4 S., R. 4 W., sec. 5, lots 2, 3, and 4, \$\%\nW\% and N\%\2\W\%; sec. 6, lots 1 to 7, inclusive, \$\%\2\NE\%. SE\%-

NW1/4, E1/2SW1/4 and N1/2SE1/4.

T. 3 S., R. 5 W

13, NW 1/4 NE 1/4, S1/2 NE 1/4, W 1/2 and SE14;

secs. 14 to 36, inclusive. T. 4 S., R. 5 W.,

secs. 1 to 6, inclusive.

T. 3 S., R. 6 W

sec. 13, E½NE¼, SE¼SW¼ and SE¼; sec. 23, SE¼NE¼ and SE¼;

secs 24 and 25;

T. 3, R. 6 W., (Cont.) sec. 26, $E\frac{1}{2}$ and $E\frac{1}{2}W\frac{1}{2}$; sec. 35, $E\frac{1}{2}$ and $E\frac{1}{2}W\frac{1}{2}$;

T. 4 S., R. 6 W.,

sec. 2, E1/2 and E1/2 W1/2.

The areas described, including both pub-c and non-public lands, aggregate 26,-

This order shall be subject to (1) Power Site Classification No. 154, approved October 25, 1926, by the Secretary, of the Interior, (2) the transmission line withdrawal made by the Executive or-der of December 20, 1916, Power Site Reserve No. 569, and (3) the transmission line withdrawal made by the Executive order of February 25, 1919, Power Site Reserve No. 711, so far as such orders affect any of the above-described lands.

The order of April 8, 1935, of the Secretary of the Interior, establishing Utah Grazing District No. 2, is hereby modified to the extent necessary to permit the use of the lands as herein provided.

It is intended that the lands described herein shall be returned to the administration of the Department of the Interior when they are no longer needed for the purpose for which they are reserved.

HAROLD L. ICKES,

Secretary of the Interior.

NOVEMBER 12, 1942.

[F. R. Doc. 42-12215; Filed, November 21, 1942; 10:19 a. m.]

[Public Land Order 58]

NEVADA

WITHDRAWING PUBLIC LANDS FOR USE OF THE WAR DEPARTMENT FOR MILITARY PURPOSES

By virtue of the authority vested in the President and pursuant to Executive Order No. 9146 of April 24, 1942, and section 1 of the act of June 28, 1934, as amended, c. 865, 48 Stat. 1269 (U.S.C. title 43, sec. 315), it is ordered as follows

Subject to valid existing rights, the public lands in the following-described areas are hereby withdrawn from all forms of appropriation under the publicland laws, including the mining and mineral leasing laws, and reserved for the use of the War Department for military purposes:

MOUNT DIABLO MERIDIAN

T. 15 S., R. 56 E. T. 16 S., R. 56 E.,

secs. 1, 2, 3, 4, 5, 6; tracts 37, 38, 39, 40, 41, 42A, 42B, 43B.

The areas described, including both public and non-public lands, aggregate 27,006.09 acres.

The order of the Secretary of the Interior of November 3, 1936, establishing Nevada Grazing District No. 5, and Executive Order No. 7373 of May 20, 1936, establishing the Desert Game Range, are hereby modified to the extent necessary to permit the use of the land as herein provided. The modification of Executive Order No. 7373 above, is made with the understanding that patrol activities for the proper protection and maintenance of the Desert Game Range will be permitted in the areas involved one day each week, and such day will be determined jointly by the Commanding Officer of the area and the local representative of the Fish and Wildlife Service.

It is intended that the lands described herein shall be returned to the administration of the Department of the Interior when they are no longer needed for the purposes for which they are hereby reserved.

HAROLD L. ICKES, Secretary of the Interior.

NOVEMBER 12, 1942.

[F. R. Doc. 42-12216; Filed, November 21, 1942; 10:20 a. m.]

[Public Land Order 59]

ARIZONA

RESERVING PUBLIC LANDS WITHIN NATIONAL FORESTS FOR THE USE OF THE WAR DEPART-MENT FOR MILITARY PURPOSES

By virtue of the authority contained in the act of June 4, 1897, c. 2, 30 Stat. 11, 36 (U.S.C., title 16, sec. 473), and pursuant to Executive Order No. 9146 of April 24, 1942, it is ordered as follows:

Subject to valid existing rights, the public lands within the following-described area in the Coconino and Kaibab National Forests, Arizona, are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining laws, and reserved for the use of the War Department for military purposes:

GILA AND SALT RIVER MERIDIAN

T. 21 N. R. 5 E.

secs. 1 and 2, those parts south of the Atchison, Topeka, and Santa Fe Railroad rightof-way

secs. 3 to 38 inclusive.

T. 22 N., R. 5 E., secs. 30 to 35, inclusive, those parts south of the railroad right-of-way.

T. 21 N., R. 6 E.,

secs. 6. 7, 8, and 17, those parts south of the rallroad right-of-way; secs. 18, 19, 20, 29, and 30.

The areas described, including both public and non-public lands, aggregate approximately 28,400 acres.

The reservation made by this order shall be subject to the use of a portion of the land by the Department of Commerce for the maintenance of an airway beacon light, and to the right of the Department of Agriculture to occupy, operate, and maintain the fire-lookout station on Volunteer Peak, including the right of ingress and egress, for such use as may be essential to the protection and management of the adjacent national-forest lands.

The jurisdiction of the Secretary of Agriculture over the lands as part of the Coconino and Kaibab National Forests shall be subject to the jurisdiction of the Secretary of War to the extent necessary to effectuate the purposes of the reservation made by this order.

It is intended that the lands herein reserved shall be restored to the status possessed by them immediately prior to the issuance of this order, when they are no longer needed by the War Department for military purposes.

> HAROLD L. ICKES, Secretary of the Interior.

NOVEMBER 12, 1942,

[F. R. Doc. 42-12217; Filed, November 21, 1942; 10:19 a. m.]

[Public Land Order 60]

New Mexico

REVOKING IN PART EXECUTIVE ORDER NO. 6276 OF SEPTEMBER 8, 1933, AND WITHDRAWING PUBLIC LANDS FOR USE OF THE WAR DE-PARTMENT AS AUXILIARY LANDING FIELDS

By virtue of the authority vested in the President and pursuant to Executive Order No. 9146 of April 24, 1942, and to section 1 of the act of June 28, 1934, as amended, c. 865, 48 Stat. 1269 (U.S.C., title 3, sec. 315), it is ordered as follows:

Subject to valid existing rights, the public lands in the following-described areas are hereby withdrawn from all forms of appropriation under the publicland laws, including the mining and mineral leasing laws, and reserved for the use of the War Department as auxiliary landing fields:

NEW MEXICO PRINCIPAL MERIDIAN

T. 26 S., R. 10 W., sec. 17, SE¼SW¼ and S½SE¼; sec. 21, W½SW¼.

T. 21 S., R. 11 W.,

sec. 3, lots 1, 2, 3, and 4, S1/2 N1/2, SW1/4, and W1/4SE1/4

sec. 10, N1/2 N1/2 NW1/4 and N1/2 NW1/4 NE1/4. T. 24 S., R. 13 W.,

sec. 19, lots 3 and 4, $E\frac{1}{2}SW\frac{1}{4}$, and $SE\frac{1}{4}$; sec. 20, $W\frac{1}{2}SW\frac{1}{4}$ and $W\frac{1}{2}E\frac{1}{2}SW\frac{1}{4}$; sec. 29, $NW\frac{1}{4}NW\frac{1}{4}$;

sec. 30, NE14, NE14NW14, and N1/2N1/2SE1/4.

The areas described, including both public and non-public lands, aggregate 1,606.17

The order of July 11, 1935, of the Secretary of the Interior, establishing New Mexico Grazing District No. 3, is hereby modified to the extent necessary to permit the use of the lands as herein provided.

Executive Order No. 6276 of September 1933, withdrawing public lands for the purpose of aiding the State of New Mexico in making exchange selections under the act of June 15, 1926, c. 590, 44 Stat. 746, is hereby revoked so far as it affects any of the above-described lands.

It is intended that the lands described herein shall be returned to the administration of the Department of the Interior, when they are no longer needed for the purpose for which they are reserved.

> HAROLD L. ICKES, Secretary of the Interior.

NOVEMBER 13, 1942.

[F. R. Doc. 42-12218; Filed, November 21, 1942; 10:19 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

[Administrative Order No. 169]

PENS AND PENCILS MANUFACTURING INDUSTRY

ACCEPTANCE OF RESIGNATION FROM AND AP-POINTMENT TO INDUSTRY COMMITTEE

By virtue of and pursuant to the authority vested in me by the Fair Labor Standards Act of 1938, I. L. Metcalfe Walling, Administrator of the Wage and Hour Division, United States Department of Labor,

Do hereby accept the resignation of Mr. Robert S. Gillia from Industry Committee No. 52 for the Pens and Pencils Manufacturing Industry, and do appoint in his stead Mr. Remmie L. Arnold of Petersburg, Virginia, as representative for the employers on such commit-

Signed at New York, New York, this 19th day of November 1942.

> L. METCALFE WALLING, Administrator.

[F. R. Doc. 42-12167; Filed, November 20, 1942; 12:50 p. m.]

PRINTING AND PUBLISHING INDUSTRY, ETC. NOTICE OF CONTINUATION OF HEARING

Notice of continuation of hearing on the minimum wage recommendation of Industry Committee No. 49 for the printing and publishing and allied graphic arts industry to be held December 7, 1942.

Whereas, a public hearing was held on November 9, 1942, before the undersigned as Presiding Officer, at 10:00 a. m. in Room 1610, Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York, New York, for the purpose of taking evidence on the following question:

Whether the recommendation of Industry Committee No. 49 for the Printing and Publishing and Allied Graphic Arts Industry should be approved or disapproved:

Now therefore, notice is hereby given that, pursuant to section 3 of the rules governing the above proceeding, the hearing will be continued on December 7, 1942, before the undersigned as Presiding Officer at 10:00 a. m. in Room 3229, United States Department of Labor, Washington, D. C.

Signed at Washington, D. C., this 17th day of November 1942.

ROBERT N. CAMPBELL. Presiding Officer.

IF. R. Doc. 42-12166; Filed, November 20, 1942; 12:50 p. m.]

CIVIL AERONAUTICS BOARD. [Docket Nos. 556 and 562]

BOSTON AND MAINE RAILROAD CO., ET AL.

NOTICE OF HEARING

In the matter of the applications of Boston and Maine Railroad Company and Maine Central Railroad Company

for approval of their acquisition of control of Northeast Airlines, Inc., and for a determination of the Board's jurisdiction over the subject matter.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 408 and 1001 of said Act, in the above-entitled proceeding, that hearing is hereby assigned to be held on December 1, 1942, at 10 a. m. (eastern war time) in Conference Room C, Departmental Auditorium, Constitution Avenue, between 12th and 14th Streets NW., Washington, D. C., before an examiner of the Board.

Dated Washington, D. C., November 19,

1942.

By the Civil Aeronautics Board. [SEAL] DARWIN CHARLES BROWN, Secretary.

[F. R. Doc. 42-12276; Filed, November 23, 1942; 10:34 a. m.]

FEDERAL COMMUNICATIONS COM-MISSION.

[Dockets Nos. 6459-671

R. C. A. COMMUNICATIONS, INC.

NOTICE OF HEARING

In re applications of R. C. A. Communications, Inc., dated October 1, 1942, for renewal of licenses; class of service, fixed public; class of stations, point-to-point telegraph and telephone; locations, Kahuku, T. H. (telegraph and telephone); Rocky Point, N. Y.; New York, N. Y.; New Brunswick, N. J.; Tuckerton, N. J.; Marion, Mass.; Bolinas, Calif.; and San Juan, P R.

You are hereby notified that the Commission, having examined the abovedescribed applications, and being unable to determine upon examination of such applications that public interest, convenience or necessity would be served by the granting thereof, has designated the matters for hearing for the following reasons:

1. To determine if applicant has entered into, maintained, or operated under any contracts, agreements, understandings, or arrangements, written or oral, express or implied, which have the effect of preventing the establishment by other American carriers of communication circuits, contrary to the public interest, convenience, or necessity

2. To determine if applicant has entered into, maintained, or operated under any contracts, agreements, understandings, or arrangements, written or oral, express or implied, which have the effect of preventing the practical operation by other American carriers of additional communication circuits, contrary to the public interest, convenience, or necessity.

3. To determine if the applicant has entered into, maintained, or operated under any contracts, agreements, understandings, or arrangements, written or oral, express or implied, which result in an undue preference to applicant or an undue prejudice to other American carriers in the rendition of any communication service, contrary to the public interest, convenience or necessity.

4. To determine if the applicant has entered into, maintained, or operated under any contracts, agreements, understandings, or arrangements, written or oral, express or implied, which tend to create a monopoly of communication service, contrary to the public interest, convenience or necessity.

5. To determine if the applicant has taken any action designed to prevent, restrain, burden, or impede the establishment or successful operation by other American carriers of additional circuits or channels of communication, contrary to the public interest, convenience, or

necessity.

6. To determine if the applicant has entered into, maintained, or operated under any contracts, agreements, understandings, or arrangements, written or oral, express or implied, which have the effect of hampering, delaying, obstructing, or in any manner prejudicing, contrary to the public interest, convenience or necessity, the institution of additional channels of communication desirable for purposes of national security and the successful conduct of the war.

7. To determine whether in the light of the evidence adduced on the foregoing issues, public interest, convenience or necessity would be served by a grant of the applications herein designated for

hearing.

The applications involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant upon the basis of a record duly and properly made by means

of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in a c c o r d a n c e with the provisions of § 1.382 (b) of the Commission's Rules and Regulations. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules and Regulations.

The applicant's address is as follows: R. C. A. Communications, Inc., 66 Broad

Street, New York, N. Y.

Dated at Washington, D. C., November 20, 1942.

By the Commission.

[SEAL]

T. J. SLOWIE, Secretary.

[F. R. Doc. 42-12271; Filed, November 23, 1942; 10:21 a, m.]

[Docket No. 6446]

MONMOUTH BROADCASTING COMPANY
(WBRB)

NOTICE OF HEARING

In re application of Monmouth Broadcasting Company (WBRB), dated, September 18, 1941, for construction permit; class of service, broadcast; class of station, broadcast; location, Red Bank, New Jersey; operating assignment specified: frequency, 1,240 kc.; power, 190 w. night, 100 w. day; hours of operation, shares with WGBB and WFAS.

You are hereby notified that the Commission on October 6, 1942 denied the petition of the applicant filed pursuant to the Memorandum Opinion of the Commission of April 27, 1942, and designated the above-entitled matter for hearing upon the following issues:

1. To determine the qualifications of the applicant, its officers, directors and stockholders, to construct and operate

the proposed station.

2. To determine whether the equipment proposed to be employed in the construction and operation of the station and the manner of installation thereof, will meet the requirements of the Rules and Regulations of the Commission and the Standards of Good Engineering Practice."

3. To determine whether the site at which applicant proposes to construct and operate the station, will comply with the Rules and Regulations of the Commission, particularly § 3.24 (e) and the Standards of Good Engineering Practice; and whether such site is available to the applicant.

4. To determine the areas and populations which would receive primary service, if applicant should operate as proposed, and what other broadcast service is available to those areas and populations.

5. To determine the type and character of program service which applicant may be expected to render and the extent to which such service is now being rendered by any other station or stations serving the proposed service area, in whole or in part.

6. To determine whether the granting of the application would be in conformity with the policy announced by the Commission in its Memorandum Opinion of April 27, 1942.

7. To determine whether, in view of the facts adduced under the foregoing issues, the granting of the application would serve public interest, convenience or necessity.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: Monmouth Broadcasting Company, Radio Station WBRB, 63 Broad Street, Red Bank, New Jersey.

Dated at Washington, D. C. November

By the Commission.

[SEAL] T. J. SLOWIE, Secretary,

[F. R. Doc. 42-12272; Filed, November 23, 1942; 10:21 a. m.]

[Docket No. 6447]

Monmouth Broadcasting Company (WBRB)

NOTICE OF HEARING

In re application of Monmouth Broadcasting Company (WBRB), dated, July 30, 1941, for renewal of license; class of service, broadcast; class of station, broadcast; location, Red Bank, New Jersey; operating assignment specified: frequency, 1240 kc; power, 100 w. night; 100 w. day; hours of operation, shares time with WGBB and WFAS.

You are hereby notified that the Commission on October 6, 1942, denied the petition of the applicant filed pursuant to the Memorandum Opinion of the Commission of April 27, 1942, and designated the above-entitled matter for hearing

upon the following issues:

1. To determine whether the applicant, its officers, directors and stockholders, are financially, and otherwise qualified to continue the operation of the station.

2. To determine the service rendered by Station WBRB since February 16, 1941, and the service which applicant may be expected to render in the event this application is granted.

3. To determine whether the equipment proposed to be employed in the operation of the station will meet the requirements of Commission regulations and the Standards of Good Engineering Practice.

4. To determine whether, in view of the facts adduced under the foregoing issues, a grant of the application would serve public interest, convenience or necessity.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: Monmouth Broadcasting Company, Radio Station WBRB, 63 Broad Street, Red Bank, New Jersey.

Dated at Washington, D. C., November

By the Commission.

[SEAL]

T. J. SLOWIE. Secretary.

[F. R. Doc. 42–12273; Filed, November 23, 1942; 10:22 a, m.]

FEDERAL POWER COMMISSION.

[Docket No. G-427]

CONSOLIDATED GAS UTILITIES CORPORATION ORDER FIXING DATE FOR HEARING

NOVEMBER 18, 1942.

Consolidated Gas Utilities Corporation (hereinafter referred to as "Applicant"), by application filed October 29, 1942, requested that it be authorized, pursuant to section 7 (b) of the Natural Gas Act, to discontinue and abandon the sale of gas to W. S. Fees for resale to Cities Service Gas Company;

It appearing to the Commission that:

It appearing to the Commission that:
(a) Applicant is now engaged in the sale of natural gas to W. S. Fees, pursuant to Consolidated Gas Utilities Corporation Rate Schedule FPC No. 16 and Supplements Nos. 1 and 2 thereto;

(b) The natural gas purchased by W. S. Fees from Applicant is sold to Cities Service Gas Company for resale pursuant to W. S. Fees' Rate Schedule FPC

No. 1;

(c) On October 23, 1942, Applicant filed an application with the Commission requesting that it be authorized to discontinue and abandon the sale of natural

gas to W. S. Fees;

(d) Cities Service Gas Company advised the Commission on November 14, 1942, that it protests the termination of Applicant's service to W. S. Fees, for it would be unable to replace the gas which is now obtained from Applicant, through W. S. Fees, except at greatly increased cost; Cities Service also stated that it desired to continue to receive this gas either from W. S. Fees or directly from Applicant under the terms and conditions of the agreement between Cities Service and Fees;

The Commission orders that:

(A) A public hearing be held in the Federal Building, Kansas City, Missouri, on December 10, 1942, at 10:00 a. m., for the purpose of determining whether the present or future public convenience or necessity permits the requested abandonment of service;

(B) Interested State Commissions may participate in the hearing as provided in § 67.4 of the Provisional Rules of Practice and Regulations under the Nat-

ural Gas Act.

By the Commission.

LEON M. FUQUAY, Secretary.

[F. R. Doc. 42-12208; Filed, November 21, 1942; 10:12 a. m.]

[Project No. 1887]

COOPERATIVE SERVICE ASSOCIATION
ORDER CONTINUING DATE OF HEARING

NOVEMBER 18, 1942.

A public hearing having been set for November 30, 1942, on the application for Cooperative Service Association of Meredith, New Hampshire, for preliminary permit for a proposed hydroelectric development to be installed at the Franklin Falls flood control dam on the Pemigewasset River in Merrimack County, New Hampshire, and it appearing desirable to again postpone said hearing;

Upon the Commission's own motion,

It is ordered, That:

Said hearing be postponed to January 4, 1943, beginning at 9:45 a. m. (EWT) in Room 305, Federal Building, Concord, New Hampshire.

By the Commission.

[SEAL]

LEON M. FUQUAY, Secretary.

[F. R. Doc. 42-12275; Filed, November 23, 1942; 10:21 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 154, Amendment]

REAL PROPERTY IN NEW YORK CITY OWNED BY Mrs. JOSEPHINE M. LORSCH

Vesting Order Number 154 of September 17, 1942, is hereby amended as follows and not otherwise:

By inserting the words "thence easterly along 78th Street, 16 feet 8 inches;" immediately following the words "Beginning at a point on the southerly side of 78th Street, distant 153 feet 4 inches easterly from the southeasterly corner of 78th Street and Park (formerly 4th) Avenue; "appearing in Exhibit A attached to said order and made a part thereof.

All other provisions of such Vesting Order Number 154 and all action taken on behalf of the undersigned in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on November 18, 1942.

[SEAL]

LEO T. CROWLEY, Alien Property Custodian.

[F. R. Doc. 42-12240; Filed, November 21, 1942; 10:48 a. m.]

[Vesting Order 239]

16% of the Capital Stock of Nichibel Securities Corp. of Los Angeles

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned after investigation, finding:

(a) That the property described as follows:

200 shares (which represent 16% of all outstanding shares) of \$10 par value capital stock of Nichibei Securities Corp. of Los Angeles, a California corporation, Los Angeles, California, which is a business enterprise within the United States, the names and last known addresses of the registered owners of which, and the number of shares owned by them respectively, are as follows:

Names and last known addresses shares
H. T. Komai (alien detention camp) ___ 100
Yoshimori Nozawa (alien detention camp) ___ 100

Total _____ 20

is property of nationals, and represents an interest in said business enterprise which is a national (by reason of the fact that a substantial part of all outstanding shares are owned by nationals), of a designated enemy country (Japan); and

(b) That the property described as follows:

All right, title, interest and claim of any name or nature whatsoever of Tokyo Nichibei Shoken, a Japanese corporation, Tokyo, Japan, in and to all indebtedness, contingent or otherwise and whether or not matured, owing to it by said Nichibei Securities Corp. of Los Angeles, including but not limited to all security rights in and to any and all collateral for any or all of such indebtedness and the right to sue for and collect such indebtedness,

17 F.R. 8405.

is an interest in the aforesaid business enterprise held by, and is property within the United States owned or controlled by, a national of a designated enemy country (Japan);

and determining that to the extent that any or all of such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country, (Japan), and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held. used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on October 15, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F.R. Doc. 42-12223; Filed, November 21, 1942; 10:45 a. m.]

[Vesting Order 240]

25.47% OF THE CAPITAL STOCK OF NICHIBEI SECURITIES COMPANY, LTD.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

(a) That the property described as follows:

1,180 shares (which constitute a substantial part, namely, 25.47%, of all outstanding shares) of \$10 par value capital stock of Nichibel Securities Company, Ltd., a California corporation, San Francisco, California, which is a business enterprise within the United States, the names and last known addresses of the registered owners of which,

and the number of shares owned by them respectively, are as follows:

Names and last known addresses sho Mitsuo Hosaka, Japan	tres 52
Toyosaku Komai (alien detention camp)	5
Forao Koyano, Japan	Same.
Kinji Nishi (alien detention camp)	5
Yoshimori Nozawa (alien detention camp)	5
Seisuke Umeki (alien detention	
camp)	45
Fomio Yasumitsu, Japan	- 5

is property of nationals, and represents an interest in said business enterprise which is a national, of a designated enemy country (Japan); and

Total_____ 1, 180

(b) That the property described as follows:

All right, title, interest and claim of any name or nature whatsoever of Tokyo Nichibei Shoken, a Japanese corporation, Tokyo, Japan, in and to all indebtedness, contingent or otherwise and whether or not matured, owing to it by the aforesaid Nichibei Securities Company, Ltd., including but not limited to all security rights in and to any and all collateral for any or all of such indebtedness and the right to sue for and collect such indebtedness,

is an interest in the aforesaid business enterprise held by, and is property within the United States owned or controlled by, a national of a designated enemy country (Japan):

and determining that to the extent that any or all of such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Japan), and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on October 15, 1942.

[SEAL]

LEO T. CROWLEY, Alien Property Custodian.

[F.R. Doc. 42-12224; Filed, November 21, 1942; 10:45 a. m.]

[Vesting Order 245]

ASSETS OF ASAHI SHINBUN

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All property of any nature whatsoever situated in the United States and owned or controlled by, payable or deliverable to, or held on behalf of or on account of or owing to, Asahi Shinbun, a Japanese corporation, Tokyo and Osaka, Japan, including, but not limited to, all of the assets of its United States branch known as The Asahi Shinbun, New York, New York, which corporation is a business enterprise within the United States, and an account in the National City Bank, New York, New York, in the name of Kyozo Mori, Japan (by repatriation), which account is held for the benefit of and owned by The Asahi Shinbun.

is property of said business enterprise which is a national of a designated enemy country (Japan), and determining that to the extent that such national is a person not within a designated enemy country the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan), and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to

allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on October 19, 1942.

[SEAL]

LEO T. CROWLEY. Alien Property Custodian.

[F. R. Doc. 42-12225; Filed, November 21, 1942; 10:45 a. m.]

[Vesting Order 246]

ASSETS OF SHOCHIKU COMPANY, LTD.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

(a) Finding that Shochiku Company, Ltd., a Japanese corporation, Tokio, Japan, is a national of a designated ene-

my country (Japan)

(b) Finding that Shochiku Company, Ltd., Hollywood Branch, a partnership, Los Angeles, California, which is a business enterprise within the United States, is a branch or agency of the aforesaid Japanese corporation and is controlled by or acting for the benefit or on behalf of the aforesaid Japanese corporation and is therefore a national of a designated enemy country (Japan);

(c) Finding that the property de-

scribed as follows:

All property of any nature whatsoever situated in the United States and owned or controlled by, payable or deliverable to, or held on behalf of or on account of or owing to, the aforesaid Schochiku Company, Ltd., Tokio, Japan, or Schochiku Company, Ltd., Hollywood Branch, Los Angeles, California,

is property of a national of a designated

enemy country (Japan);
(d) Finding that the property described as follows:

All right, title, interest, and claim of any name or nature whatsoever in and to all accounts payable and other indebtedness, contingent or otherwise, and whether or not matured, owing to the aforesaid Japanese corporation by said Shochiku Company, Ltd., Hollywood Branch, including but not limited to all security rights in and to any and all collateral for any or all of such indebtedness and the right to sue for and collect such indebtedness.

is an interest in the aforesaid business enterprise held by a national of a designated enemy country (Japan), and also is property within the United States owned and controlled by a national of a designated enemy country (Japan)

(e) Determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Japan);

(f) Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or other-

wise; and

(g) Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraphs (c) and (d), to be held, used, administered, liquidated, sold, or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieutherof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on October 19, 1942.

[SEAL]

LEO T. CROWLEY, Alien Property Custodian.

[F. R. Doc. 42–12226; Filed, November 21, 1942; 10:45 a. m.]

[Vesting Order 256]

CERTAIN INDEBTEDNESS OWING BY YOKO-HAMA SPECIE BANK, LTD., ETC.

Re: Certain indebtedness owing by Yokohama Specie Bank, Ltd. (San Francisco), and/or the Superintendent of Banks of the State of California.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned,

after investigation:
1. Finding that Yokohama Specie
Bank, Ltd., a Japanese corporation,
T-kyo, Japan, and Nippon Yusen Kaisha,
a Japanese corporation, Tokyo, Japan,
and each of them, are nationals of a
designated enemy country (Japan);

2. Finding that said Yokohama Specie Bank, Ltd., and said Nippon Yusen Kaisha, and each of them, have established branch offices at San Francisco, California, engaged in the conduct of business within the United States, and are business enterprises within the United States:

3. Finding that liquidation of said San Francisco branch of the aforesaid Yokohama Specie Bank, Ltd., is in the process of administration by a person (namely, the Superintendent of Banks of the State of California) acting under judicial

supervision (namely, that of the Superior Court of the State of California, in and for the City and County of San Francisco) within the meaning of Section 2 (f) of the aforesaid Executive Order:

4. Finding that liquidation of said Nippon Yusen Kaisha, or of its assets in the United States, or of its San Francisco branch is in the process of administration by a person (namely, a trustee in bankruptcy) acting under judicial supervision (namely, that of the United States District Court at San Francisco) within the meaning of Section 2 (f) of the aforesaid Executive Order;

5. Finding that Yoshio Muto, who was formerly Consul General of Japan in San Francisco, is a national of a designated enemy country (Japan);

Finding that the property described as follows:

All right, title, interest and claim of any name or nature whatsøever of the aforesaid Yoshio Muto, Nippon Yusen Kaisha, and the latter's San Francisco branch, and each of them, in and to all indebtedness, contingent or otherwise and whether or not matured, owing to them or any of them by the aforesaid Yokohama Specie Bank, Ltd., or by its said San Francisco branch or by the aforesaid Superintendent of Banks, including but not limited to all security rights in and to any and all collateral for any or all of such indebtedness and the right to sue for and collect such indebtedness,

is (a) an interest in a business enterprise within the United States (namely, the aforesaid Yokohama Specie Bank, Ltd., and/or its San Francisco branch) held by a national or nationals of an enemy country (Japan), and also is (b) property within the United States owned or controlled by a national or nationals of a designated enemy country (Japan), and also is (c) property which is payable or deliverable to, or claimed by, a national or nationals of a designated enemy country (Japan) and which (as hereinbefore stated in subparagraph 3) is in the process of administration by a person acting under judicial supervision;

7. Determining that to the extent that such nationals, or any of them, are persons not within a designated enemy country, the national interest of the United States requires that such persons and each of them be treated as nationals of the aforesaid designated enemy country (Japan):

8. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

9. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 6, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation

will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on October 27, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 42–12236; Filed, November 21, 1942; 10:48 a. m.]

[Vesting Order 284]

INTERESTS OF GERMAN NATIONALS IN NINE CONTRACTS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All right, title and interest of each and all of the following:

Farbenfabriken vorm. Friedr. Bayer & Company, Farbwerke vorm. Meister Lucius & Bruning,

Farbwerke vorm. Meister Lucius & Bruning, Aktiengesellschaft fur Anilin-Fabrikation, Leopold Cassella & Co., G. m. b. H., Chemische Fabrik Griesheim-Elektron, Chemische Fabriken vorm. Weiler-ter Meer, Kalle & Co., Aktiengesellschaft, Anilinfabrik Carl Jaeger, G. m. b. H., Farbwerk Muehlheim vorm. A. Leonhardt

Wuelfing, Dahl & Co., Aktiengesellschaft, Badische Anilin-und Soda Fabrik, I. G. Farbenindustrie, A. G., and Dr. F. Raschig, G. m. b. H.,

(all of whom are, or if they have ceased to exist were, business enterprises organized under the laws of or having their principal places of business in Germany), and of each and all of the successors, assigns and affiliates of each and all such business enterprises, in and to certain contracts (together with all claims for money, credits, royalties or other amounts due and payable under any or all of such contracts to any or all of the aforesaid business enterprises and/or each and all of their successors, assigns and affiliates), each of which contracts and the one or more of such business enterprises relating thereto, respectively, are fully described in Exhibit A attached hereto and made a part hereof.

is property within the United States owned or controlled by nationals of a designated enemy country (Germany), and determining that to the extent that any or all of such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Germany), and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate tha compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to

allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on October 31, 1942.

[SEAL]

LEO T. CROWLEY. Alien Property Custodian.

EXHIBIT A

1. All right, title and interest of: Farbenfabriken vorm, Friedr, Bayer & Company.

Farbwerke vorm, Meister Lucius & Bruning, Aktiengesellschaft für Anilin-Fabrikation, Leopold Cassella & Co., G. m. b. H., Chemische Fabrik Griesheim-Elektron, Chemische Fabriken vorm. Weiler-ter Meer, Kalle & Co., Aktiengesellschaft, Anilinfabrik Carl Jaeger G. m. b. H. Farbwerk Muehleim vorm A. Leonhardt &

Wuelfing, Dahl & Co., Aktiengesellschaft,

as well as their successors, assigns, and affiliates, including, but not by way of limitation, Badische Anilin-und Soda Fabrik, and I. G Farbenindustrie, A. G., in and to a certain "Memorandum of Agreement" dated July 31, 1925, by and between Grasselli Chemical Company, Grasselli Dyestuff Corporation, Herman A. Metz, Farbenfabriken vorm. Meister Bayer & Company, Farbwerke vorm. Meister Lucius & Bruning, and eight German corpora-tions called "The Manufacturers"; subject to and including all interpretations and modifications thereof, and supplements thereto, including, but not by way of limitation, "Profit Sharing Agreement" of July 31, 1925, by and between Grasselli Chemical Company, and Farbenfabriken vorm. Friedr. Bayer & Company; a letter dated July 31, 1925, to Grasselli Chemical Company signed by C. v Weinberg and agreed to by Grasselli Chemical Company, Farbenfabriken vorm. Friedr. Bayer & Company and Farbwerke vorm. Meister Lucius & Bruning; a letter dated July 31, 1925, from Grasselli Chemical Company to Farbenfabriken vorm. Friedr. Bayer & Company and Farbwerke vorm. Meister Lucius & Bruning signed by Fisher and agreed to by Farbenfabriken vorm. Friedr. Bayer & Company and Farbwerke vorm. Melster Lucius & Bruning; an agreement dated October 20, 1928, by and between Grasselli Chemical Company, Grasselli Dyestuff Corporation and I. G. Farbenindustrie, A. G. for itself and as successor in interest to certain German corporations; an agreement dated October 20, 1928, by and between I. G. Farbenindustrie Aktiengesellschaft and Grasselli Dyestuff Corporation; a letter from I. G. Farbenindus-Aktiengesellschaft dated January 12, 1940 to General Aniline and Film Corporation signed by v. Schnitzler and ter Meer to which is attached a list of firms to which goods may be sold; certain cables dated September 19, 1939 (two), September 21, 1939; September 29, 1939; October 2, 1939; October 14, 1939; October 16, 1939; October 23, 1939; December 11, 1939; January 2, 1940; January 8, 1940; January 19, 1940; and January 22, 1940, together with the confirmations thereof, all between I. G. Farbenindustrie Aktien-gesellschaft and General Aniline and Film Corporation; and a letter of October 28, 1939, from I. G. Farbenindustrie Aktiengesellschaft to General Aniline Works, Inc., signed by ter Meer and Schnitzler, relating to sales to parts of the British Empire and Columbia; together with all claims for money, credits, royalties or other amounts due and payable under the said contract.

2. All right, title and interest of Farbenfabriken vorm. Friedr. Bayer & Company, as well as its successors, assigns, and affiliates, including, but not by way of limitation, Badische Anilin-und Soda Fabrik, and I. G. Farbenindustrie, A. G., in and to a certain agreement dated June 17, 1924, by and between Grasselli Chemical Company, Farbenfabriken vorm. Friedr. Bayer & Company and Grasselli Dyestuff Corporation; subject to and including all interpretations and modifications thereof, and supplements thereto, including, but not by way of limitation, a certain "Memorandum of Agreement" by and between the same parties dated July 31, 1925; an agreement dated October 20, 1928, by and between Grasselli Chemical Company, Grasselli Dyestuff Corporation and I. G. Farbenindustrie, A. G., for itself and as successor in interest in certain German corporations; an agreement dated October 20, 1928, by and between I. G. Farbenindustrie Aktiengesellschaft and Grasselli Dyestuff Corporation; a letter from I. G. Farbenindus-Aktiengesellschaft dated January 1940 to General Aniline and Film Corporation signed by v. Schnitzler and ter Meer to which is attached a list of firms to which goods may be sold; certain cables dated September 19, 1939 (two), September 21, 1939; September 29, 1939; October 2, 1939; October 14, 1939; October 16, 1939; October 23, 1939; December 11, 1939; January 2, 1940; January 8, 1940; January 19, 1940; and January 22, 1940, together with the confirmations thereof, all between I. G. Farbenindustrie Aktiengesellschaft and General Aniline and Film Corporation; and a letter of October 28, 1939 from I. G. Farbenindustrie Aktiengesellschaft to General Aniline Works, Inc., signed by ter Meer and Schnitzler, relating to sales to parts of the British Empire and Colombia; together with all claims for money, credits, royalties or other amounts due and payable under the said contract.

3. All right, title and interest of I. G. Farbenindustrie Aktiengesellschaft in and to an agreement dated March 18, 1940 by and between General Aniline and Film Corporation and I G. Farbenindustrie Aktiengesellschaft (identified as #354) relating to iron carbonyl.

4. All right, title and interest of I. G. Farbenindustrie Aktlengesellschaft in and to an agreement dated March 18, 1940 by and between General Aniline and Film Corporation and I. G. Farbenindustrie Aktiengesellschaft (identified as #353) relating to textile assistants.

5. All right, title and interest of I. G. Farbenindustrie Aktiengesellschaft in and to an agreement dated March 18, 1940 by and between General Aniline and Film Corporation and I. G. Farbenindustrie Aktiengesellschaft (identified as #355) relating

"Trilon."

6. All right, title and interest of I. G. Farbenindustrie Aktlengesellschaft in and to an agreement dated March 18, 1940 by and between General Aniline and Film Corporation and I. G. Farbenindustrie Aktiengesellschaft (identified as # 358) relating to vingl ethers and their polymers and vinyl esters.

7. All right, title and interest of I. G. Farbenindustrie Aktiengesellschaft in and to an agreement dated March 18, 1940 by and between General Aniline and Film Corporation and I. G. Farbenindustrie Aktiengesellschaft (identified as # 357) relating to or-ganic intermediates, organic acids, organic tanning agents, rubber chemicals, solvents, chlorinated hydrocarbons, softeners, synthetic resins, synthetic plastics, textile assistants

and similar products.

8. All right, title and interest of Dr. F. Raschig, G. m. b. H., in and to a contract by and between it and Durez Plastics and by and between it and Durez Plastics and Chemicals, Inc., signed by the said parties on September 24, 1937 and September 14, 1937, respectively; as modified by a letter dated December 23, 1938 from Durez Plastics and Chemicals, Inc., to Dr. F. Raschig, G. m. b. H. and accepted by Dr. F. Raschig, G. m. b. H. on January 10, 1939; together with all moneys, royalties, credits and other payments due and payable under the said contract.

9. All right, title and interest of Dr. F. Raschig, G. m. b. H., in and to a contract by and between it and Durez Plastics and Chemicals, Inc., signed by the said parties on July 17, 1939, together with all moneys, royalties credits, notes and other payments due and payable under the said contract.

[F. R. Doc. 42-12227; Filed, November 21, 1942; 10:45 a. m.)

[Vesting Order 330]

CERTAIN INDEBTEDNESS OWING TO YAMA-NAKA AND COMPANY, LTD.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All right, title, interest and claim of any name or nature whatsoever of Yamanaka and Company, Ltd., Osaka, Japan, in and to all indebtedness, contingent or otherwise and whether or not matured, owing to it by Yamanaka and Company, Inc., Boston, Massachusetts, including but not limited to all security rights in and to .ny and all col-lateral for any or all of such indebtedness and the right to sue for and collect such indebtedness.

is property within the United States owned or controlled by a national of a designated enemy country (Japan), and determining that such property is necessary for the maintenance or safeguarding of other property (namely, that certain real property in Bar Harbor Maine which was found in Vesting Order Number 140, issued under date of September 2, 1942, to be property within the United

States owned by said national) belonging to the same national of the same designated enemy country and subject to vesting, and in fact vested by said vesting order, pursuant to Section 2 of said Executive Order, and determining that to the extent that such national is a person not within a designated enemy country the national interest of the United States requires that such person be treated as a national of the aforesaid designated enemy country (Japan), and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Cus-todian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right

to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on November 5, 1942.

[SEAL]

LEO T. CROWLEY. Alien Property Custodian.

[F. R. Doc. 42-12228; Filed, November 21, 1942; 10:48 a. m.]

[Vesting Order 372]

MORTGAGE OWNED BY MRS. JOSEPHINE M. LORSCH COVERING REAL PROPERTY IN NEW YORK CITY

Whereas, pursuant to Vesting Order Number 154 of September 17, 1942, the undersigned intended to vest a certain obligation secured by a mortgage, together with such mortgage; and

Whereas, in describing the property intended to be vested no reference was made to such obligation or mortgage:

Now, therefore, in order to cure any defect in said order arising by virtue of the failure to make reference to such obligation or mortgage, the following order is hereby issued:

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended. and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All right, title, interest and claim of any name or nature whatsoever of Mrs. Josephine M. Lorsch, whose last known address was represented to the undersigned as being in Eure-et-Loire, France, in and to any and all obligations (contingent or otherwise and whether or not matured) which are secured by that certain mortgage from Amanda B. Schwab to Lawyers Trust Company dated December 27, 1928 and thereafter duly assigned by mesne assignments to Mrs. Josephine M. Lorsch, which mortgage covers certain real property together with all fixtures, improvements and appurtenances thereto located at 112 East 78th Street, New York, New York, including but not limited to all security rights in and to any and all collateral (including said mortgage) for any or all of such obligations and the right to enforce and collect such obligations,

is property within the United States owned by a national of a designated enemy country (Germany), and determining that to the extent that such national is a person not within a designated enemy country, such person is controlled by a designated enemy country (Germany), or a person within such country, and the national interest of the United States requires that such person be treated as a national of the aforesaid designated enemy country (Germany), and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on November 18, 1942.

[SEAL]

LEO T. CROWLEY, Alien Property Custodian.

[F. R. Doc. 42-12237; Filed, November 21, 1942; 10:48 a. m.]

[Vesting Order 376]

CERTAIN INDEBTEDNESS OWING BY TAKA-MINE CORPORATION

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended. and pursuant to law, the undersigned, after investigation, finding that the property described as follows:

All right, title, interest and claim of any name or nature whatsoever of Tatsumi Engineering Company, Ltd., whose last known address was represented to the undersigned as being Tokyo, Japan, in and to all indebtedness, contingent or otherwise and whether or not matured, owing to it by Takamine Corporation [which was found in Vesting Order Number 194 issued under date of September 28, 1942 to be a business effterprise within the United States which is a national of a designated enemy country (Japan) | a New York corporation, New York, New York, including but not limited to all security rights in and to any and all collateral for any and such indebtedness and the right to sue for and collect such indebtedness,

is an interest in the aforesaid business enterprise held by, and is property within the United States owned or controlled by, a national of a designated enemy country (Japan), determining that to the extent that any or all of such nationals are persons not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of the aforesaid designated enemy country (Japan), and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest, hereby vests such property in the Alien Property Custodian, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Sec. 706.404 Kind of payments. Conditions of payment; perform-

ance required. 706.406

Excess cotton acreage.
Rates of payment and further conditions. 706 407

Application and eligibility for pay-706.408 ment.

706.409 Administration.

AUTHORITY: §§706.401 to 706.409 issued under the authority contained in sections 7 to 17, as amended, 49 Stat. 1148, 1915; 50 Stat. 329; 52 Stat. 31, 204, 205, 746; 53 Stat. 550, 573; 16 U.S. C. 590g-490q.

§ 706.401 Authority and availability funds. Pursuant to the authority vested in the Secretary of Agriculture under section 8 of the Soil Conservation and Domestic Allotment Act, as amended, and in connection with the effectuation of the purposes of section 7 (a) of said Act in 1943, payments will be made for participation in the 1943 Naval Stores Conservation Program in accordance with the provisions of this bulletin and such modifications thereof or other provisions as may hereafter be made.

The provisions of the 1943 Naval Stores Conservation Program are necessarily subject to such legislation affecting said program as the Congress of the United States may hereafter enact; the making of the payments herein provided for is contingent upon such appropriation as the Congress may hereafter provide for such purpose; and the amounts of such payments will be finally determined by such appropriation and by the extent of participation in the program. Any increase or decrease in the rates of payments and deduction set forth herein because of the extent of participation in the program will not be in excess of 10 percent.

706.402 Definition of terms-(a) Turpentine farm. The land and turpentine timber owned or leased, or operated on a sharecrop basis, and under one management and in one general locality, which is being operated for the production of gum naval stores.

(b) Gum naval stores. Crude gum (oleoresin), gum turpentine, and gum rosin produced from living trees. Gum naval stores does not include naval stores produced from dead timber, stumps,

knots: etc.

(c) Producer. Any person or persons, firm, partnership, corporation, or other business enterprise, doing business as a single legal entity and producing gum naval stores from timber controlled for turpentine purposes through fee ownership, cash lease, percentage lease, share lease, or other form of control.

(d) Face. The whole wound or aggregate of streaks made by chipping, streaking, or pulling the live tree to stimulate the flow of crude gum (oleoresin), hereinafter referred to as gum.

(e) Cup. A container made of metal, clay, or other material hung on or below the face to accumulate the flow of

(f) Tins. The gutters or aprons. made of sheet metal or other material, used to aid in conducting the gum from a face into a cup.

(g) Crop. 10,000 faces.

(h) Drift or tract. A portion or subdivision of a crop set apart for convenience of operation.

(i) D. b. h. Diameter breast height; i. e., diameter of tree measured at 41/2

feet from the ground.

(j) Turpentine season. The entire calendar year or, if a turpentine farm is operated less than the full calendar year, that period within the calendar year during which a producer is operating his farm for the production of gum naval stores.

(k) Application. The prescribed form of application for payment for cooperating in the 1943 Naval Stores Conservation Program (hereinafter referred to as

this program)

§ 706.403 Duration of program. The period during which this program is to be in effect is the period January 1 to December 31, 1943, inclusive.

§ 706.404 Kind of payments. Payment will be made, at the rates and subject to the conditions set forth in § 706.407, to producers who in 1943 carry out the approved practices set forth in 706.405 with respect to turpentine farms currently being worked in 1943, beginning such cooperation within time limits to be established by the Forest Service of the United States Department of Agriculture (hereinafter referred to as the Forest Service) as appropriate and practicable time limits necessary to afford full opportunity to producers to cooperate in this program and to obtain a full measure of compliance with the objectives of this program.

§ 706.405 Conditions of payment; performance required. In order to qualify for payment, producers shall meet the

following requirements:

(a) Working small trees prohibited. No face (either old or new) shall be worked during the 1943 turpentine season on any tree less than 9 inches d.b.h. on any turpentine farm or farms owned, leased, or worked by the applicant producer.

(b) Only one face permitted on trees under 14 inches diameter. No trees that is less than 14 inches d.b.h. shall have more than one face worked during the 1943 turpentine season on any turpentine farm or farms owned, leased, or worked by the applicant producer.

(c) Virgin faces on trees 9 inches or larger eligible for payment. Payment will be made on all virgin faces worked, either owned or leased, by the applicant producer if all such virgin faces are on

trees 9 inches d. b. h. or larger.

(d) Working quotas. For this program there will be no recognition of "base" as it was used in any previous program; and therefore no limitation resulting from "base" provisions as to the number of faces a producer may work. A producer may work any number of faces under this program, provided that all faces so worked conform to the performance requirements outlined in the other paragraphs of this section.

(e) Written evidence of leases required. Any producer who acquires faces through a new lease or the renewal of an expiring lease must present to the Forest Service satisfactory proof in writing of such a transaction.

(f) Restrictions concerning non-participating operations. Any producer otherwise participating in this program who permits his labor to operate timber which he owns or controls and cannot operate and remain eligible for participation under the terms of this program, or who assists in any manner in the operation of such timber or the sale or processing of the gum therefrom, either directly or through a relative or employee or through any member, officer, or employee of any partnership, corporation, or other business enterprise in which he has any interest or with which he has any connection, or in any other manner whatsoever, shall not be eligible to receive any benefit payment under this program.

(g) Faces installed on small trees in 1941 and 1942 not eligible for payment. As in previous programs, participants in this program will be paid for the removal of faces on trees under . inches d. b. h. and on trees between 9 and 14 inches d. b. h. as required by paragraphs (a) and (b) of this section, if the cups on such trees were installed during the 1939 or 1940 turpentine season. As announced in the 1941 and 1942 bulletins. no payment will be made for the removal of faces that were installed during the 1941 and 1942 seasons on trees under 9 inches d. b. h. and on trees between 9 and 14 inches d. b. h.; and in the event of a Naval Stores Conservation Program for 1944 no payment will be made on such

faces installed in 1943.

(h) Payment on discontinued faces limited to small trees. Payment on dis-continued faces shall be limited to those removed from small trees as required by paragraphs (a) and (b) of this section, provided such removed faces are located in drifts that contain working faces which are continued in operation.

(i) Cups and tins must be detached from small trees. Cups and tins must be detached from those faces removed from operation on trees under 9 inches d. b. h. or between 9 and 14 inches d. b. h., but need not be removed from the area.

(i) Limitation of working area on faces. Total streaks per face made during the period of this program, averaged by drifts or tracts, shall not exceed 24 inches in vertical measurement between shoulders of first streak and shoulders of last streak.

(k) Minimum number of streaks required. Payment shall not be made on faces in production which do not average, by drifts or tracts, at least 12 streaks for the 1943 turpentine season, which streaks shall have been made at no greater frequency than two streaks per week.

(1) Over 90-inch faces not eligible for payment. Payment shall not be made on working faces or on faces required to be removed by paragraphs (a) and (b) of this section in any drift or tract where the average height of faces exceeds 90

inches at the beginning of the 1943 turpentine season, in vertical measurement between shoulders of first streak and may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: November 18, 1942.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F.R. Doc. 42-12238; Filed, November 21, 1942; 10:48 a. m.]

[Vesting Order 381]

ESTATE OF MATHILDE LANKENAU, DECEASED

File D-28-1669; E. T. sec. 534.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that-

(1) The property and interests hereinafter described are property which is in the process of administration by Charles R. Wallendorf, Executor, acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for Bronx County;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National Last known address
Matta Hanken......Germany.

And determining that-

(3) If such national is a person not within a designated enemy country, the national interest of the United States, requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All fight, title, interest, and claim of any kind or character whatsoever of Matta Hanken in and to the Estate of Mathilde Lankenau, deceased

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on

Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: November 18, 1942.

SEAL] LEO T. CROWLEY, Alien Property Custodian.

[F.R. Doc. 42-12239; Filed, November 21, 1942; 10:47 a. m.]

[Vesting Order 382]

ESTATE OF MARGARETHA HEILICH, DECEASED

File D-28-1673; E. T. sec. 547.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that-

(1) The property and interests hereinafter described are property which is in the process of administration by A. Frederick Kempe, Executor under the last will and testament of Margaretha Hellich, deceased, acting under the judicial supervision of the Union County Surrogate's Court, New Jersey;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Ger-

many, namely,

Nationals
August Baldauf____ Hesse-Nassau, Germany,
Amelia Baldauf Hesse-Nassau, Germany,
Lindenberger.

Evangelican Luther- Hesse-Nassau, Germany.

an Church of Kampfenbrunn.

And determining that-

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of August Baldauf, Amelia Baldauf Lindenberger, and the Evangelical Lutheran Church of Kempfenbrunn in and to the Estate of Margaretha Heilich, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be made or such compensation should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: November 18, 1942.

[SEAL]

LEO T. CROWLEY, Alien Property Custodian.

[F. R. Doc. 42–12232; Filed, November 21, 1942; 10:47 a. m.]

[Vesting Order 383]

ESTATE OF CARLO CASAGRANDE, DECEASED

In re: estate of Carlo Casagrande, deceased—file D-38-352; E. T. sec. 503.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation.

Finding that-

(1) The property and interests hereinafter described are property which is in the process of administration by Thomas A. Grandon, Administrator, acting under the judicial supervision of the Surrogate's Court of the State of New York, in and for New York County;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Italy, namely,

ationals: Last known address
Elisa Casagrande Italy,
Sadle Casagrande Italy,

And determining that-

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country Italy; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Elisa Casagrande and Sadie Casagrande in and to the Estate of Carlo Casagrande, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be made or such compensation should be paid.

HINK: Estate of Margaretha Heilich, decensed in the D. 28-1675; E.T. Sec. 547

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: November 18, 1942.

LEO T. CROWLEY, SEAL Alien Property Custodian.

[F. R. Doc. 42-12233; Filed, November 21, 1942; 10:47 a. m.]

[Vesting Order 384]

ESTATE OF KATIE L. POWELL, DECEASED

In re: estate of Katie L. Powell, de-ceased—File D-28-1454; E. T. sec. 136. Under the authority of the Trading

with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that-

(1) The property and interests hereinafter described is property which is in the

ter described is property which is in the process of administration by Albion W. Knight, Administrator, acting under the judicial supervision of the County Judge's Court of Duval County, State of Florida;

(2) Such property and interest is payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely, Mrs. Virginia Traub, whose last known address is 120 Haupstr, Heidelberg, Germany; and

Germany; and Determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Mrs. Virginia Traub, in and to the Estate of Katie L. Powell, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of the said Executive Order.

Dated: November 18, 1942.

LEO T. CROWLEY. [SEAL] Alien Property Custodian.

[F. R. Doc. 42-12234; Filed, November 21, 1942; 10:47 a. m.]

[Vesting Order 385]

ESTATE OF DOROTHY EHLEBEN, DECEASED

In re: estate of Dorothy Ehleben, also known as Dora Ehleben, also known as Dorothy McCaughey, and also known as Dora McCaughey, deceased-File D-28-1469; E.T. sec. 142.

Under the authority of the Trading with the Enemy Act as amended, Executive Order 9095 as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that-

(1) The property and interests hereinafter described are property which is in the process of administration by Karoline Krause, also known as Caroline Krause, Executrix, acting under the judicial supervision of Surrogate's Court of the State of New York, in and for the County of Kings;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely Adelbert Ehleben, also known as Albert Ehleben, whose last known address is Berlin, Germany, and, Kathe Engelke, whose last known address is Berlin, Germany; and

Determining that-(3) If such nationals are persons not withing a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Adelbert Ehleben, also known as Albert Ehleben, and Kathe Engelke in and to the estate of Dorothy Ehleben, also known as Dora Ehleben, also known as Dorothy McCaughey and also known as Dora McCaughey, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and interests and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such prop-

erty and interests or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Dated: November 18, 1942.

LEO T. CROWLEY, Alien Property Custodian.

[F. R. Doc. 42-12235; Filed November 21, 1942; 10: 47 a. m.]

OFFICE OF PRICE ADMINISTRATION.

NORTHWEST REFINING COMPANY

ORDER GRANTING ADJUSTMENT

[Correction of Order 7 Under RPS 88]

Correction to Order No. 71 under § 1340.156 (c) of Revised Price Schedule No. 88-Petroleum and Petroleum Prod-

The phrase "No. 5 fuel oil" wherever it occurs in Order No. 7 under § 1340.156 (c) of Revised Price Schedule No. 88, is corrected to read "No. 6 fuel oil"

This correction shall be effective as of November 4, 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 20th day of November 1942. LEON HENDERSON, Administrator.

[F. R. Doc. 42-, 2187; Filed, November 20, 1942; 3:41 p. m.]

Order 14 Under § 1381.160 (e) of MPR 161] WIRKKALA AND JOHNSON LOGGING COMPANY. ET AL.

OVERTIME ADDITIONS

Order No. 14 Under § 1381.160 (e) of Maximum Price Regulation 161-West Coast Logs

Pursuant to the provisions of § 1381.-160 (e) of Maximum Price Regulation 161-West Coast Logs, each of the following persons has filed with the Office of Price Administration, Washington, D. C., a certified statement that the following hours per week are maintained in its logging operations. Therefore, under the authority vested in the Price Adminstrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1381.160 (e) of Maximum Price Regulation 161, It is hereby ordered:

¹⁷ F.R. 9061.

(a) The following persons being on a 48-hour week may add to the maximum prices of all logs produced by them \$1.00 per 1,000 ft., log scale:

Wirkkala and Johnson Logging Company, Naselle, Washington.

E. J. Shields Logging Company, Seaside,

Prouty Logging Company, Warrenton,

Owen J. McDonough, Tillamook, Oregon. The Booth-Kelly Lumber Co., Wendling Division, Wendling, Oregon. Ross Logging Co., Grand Ronde, Oregon.

Fagerness and Kehoe Logging Company, Centralia, Washington.

Larson Labiske Logging Co., Astoria, Ore-

James R. Gleason, Satsop, Washington.
Jalmer Berg, Glacier, Washington.

Keiski & Silvola Logging Company, Naselle, Washington Pope & Talbot, Inc., Lumber Division, Puget

Sound Branch, Port Gamble, Washington. Ed Simon & Company, Sultan, Washing-

Bradley Lumber Company, Bradwood, Oregon

(b) The additions to maximum prices specified in paragraph (a) hereof may be made subject to the condition that the persons named comply with all provisions of § 1381.160 (e) of Maximum Price Regulation 161.

(c) This Order No. 14 may be revoked or amended by the Price Administrator at any time by similar publication in the FEDERAL REGISTER for change of status of any of the persons named herein as an overtime company.

(d) This Order No. 14 shall become effective November 23, 1942.

Issued this 21st day of November, 1942.

LEON HENDERSON. Administrator.

[F. R. Doc. 42-12265; Filed, November 21, 1942; 12:36 p. m.]

> [Order 65 Under MPR 188] EASTERN POTTERIES, INC.

ORDER GRANTING ADJUSTMENT

Order No. 65 under § 1499,161 of Maximum Price Regulation No. 188-Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel-Docket No. 3136-50.

For the reasons set forth in an opinion, which has been issued simultaneously herewith, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and pursuant to § 1499.161 of Maximum Price Regulation No. 188, as amended, It is ordered:

(a) Eastern Potteries, Inc., of 213 Bunting Avenue, Trenton, New Jersey may sell and deliver to the Long Island Railroad Company, and the Long Island Railroad Company may buy and receive railroad hoppers from Eastern Potteries, Inc., at the unit price of \$8.00, f. o. b. Trenton, New Jersey.

(b) This Order No. 65 may be revoked or amended by the Price Administrator

at any time.

(c) This Order No. 65 shall become effective November 23, 1942.

Issued this 21st day of November 1942. LEON HENDERSON. Administrator.

[F.R. Doc. 42-12266; Filed, November 21, 1942; 12:36 p. m.]

SECURITIES AND EXCHANGE COM-MISSION

[File No. 70-555]

CENTRAL MAINE POWER CO., ET AL.

AMENDMENT OF ORDER GRANTING APPLICA-TIONS, ETC.

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 19th day of November 1942.

In the matter of Central Maine Power Company, Cumberland County Power and Light Company, New England Industries, Inc., and New England Public Service Company.

The Commission having on the 4th day of November, 1942 issued its Findings, Opinion and Order with respect to applications and declarations theretofore filed by Central Maine Power Company, Cumberland County Power and Light Company, New England Industries, Inc., and New England Public Service Company, granting the said applications and permitting said declarations to become effective subject to certain terms and conditions therein specified; and

It appearing to the Commission that the fifth condition of said Order should be amended;

It is ordered. That said fifth condition be and the same hereby is amended to read as follows:

(5) That jurisdiction be and the same hereby is reserved, pursuant to Instruction 8C to the Uniform System of Accounts for Public Utility Holding Companies to determine at what amount the new securities of Central Maine being acquired by New England Public Service Company shall be recorded on the books of New England Public Service Company.

By the Commission.

[SEAL]

ORVAL L. DUBOIS. Secretary.

[F. R. Doc. 42-12178; Filed, November 20, 1942; 3:25 p. m.]

[File No. 70-316]

KENTUCKY POWER AND LIGHT COMPANY

ORDER PERMITTING WITHDRAWAL OF APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa. on the 17th day of November, A. D. 1942.

Kentucky Power & Light Company, a subsidiary of United Publc Service Corporation, a registered holding company, having on the 6th day of May 1941 filed a declaration pursuant to the Public Utility Holding Company Act of 1935 regarding the issuance and sale of \$1,200,000 principal amount of its First Mortgage Bonds; and

Kentucky Power & Light Company subsequent to the filing of such application having disposed of all of its assets; and

An application having been filed for leave to withdraw such declaration and the Commission finding that the granting of such application will not be detrimental to the public interest or the interest of investors or consumers:

It is ordered, That such declaration be withdrawn.

By the Commission,

[SEAL]

ORVAL L. DUBOIS, Secretary.

[F. R. Doc. 42-12176; Filed, November 20, 1942; 3:25 p. m.]

[File No. 52-20]

O. M. MULL AND JOHN W. PERRY ORDER GRANTING APPLICATION, ETC.

In the matter of O. M. Mull and John W. Perry, Trustees, Northwest Carolina Utilities, Incorporated.

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 19th day of November, A. D. 1942.

O. M. Mull and John W. Perry, Trustees of Northwest Carolina Utilities, Incorporated, a subsidiary company of East Coast Public Service Company, which is a registered holding company, appointed by the District Court of the United States for the Western District of North Carolina, having filed with this Commission an application and amendments thereto under section 11 (f) of the Public Utility Holding Company Act of 1935 whereby approval is sought of a plan of reorganization of Northwest Carolina Utilities, Incorporated, such plan providing in effect, for the sale, for cash, of all the assets of said subsidiary company and the distribution of the proceeds of such sales to the claimants of the assets of said subsidiary company in the order of their respective legal rights;

A public hearing having been held upon said application, as amended, after appropriate notice and the Commission having examined the record and made

its findings herein; It is ordered, That said plan of reorganization, as amended, be, and the same hereby is, approved, and the said application, as amended, of said O. M. Mull and John W. Perry, Trustees, be and the same is hereby granted, subject, however, to the terms and conditions pre-scribed in Rule U-24 of the General Rules and Regulations promulgated under the Public Utility Holding Company Act of 1935.

By the Commission.

[SEAL]

ORVAL L. DUBOIS, Secretary.

[F. R. Doc. 42-12177; Filed, November 20, 1942; 3:26 p. m.]

[File Nos. 54-45, 59-48]

SOUTHERN UNION GAS CO., ET AL

- APPROVAL OF APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 16th day of November, A. D. 1942.

In the matter of Southern Union Gas Company, Arkansas Western Gas Company, New Mexico Gas Company, New Mexico Eastern Gas Company, Texas Southwestern Gas Company, Quanah Water Company and Southern Union Production Company, File No. 54-45; in the matter of Southern Union Gas Company, Arkansas Western Gas Company, New Mexico Gas Company, New Mexico Gas Company, Texas Southwestern Gas Company, Quanah Water Company, Southern Union Production Company, Angels Peak Oil Company, Congress Oil Company and Summit Oil Company, File No. 59-48.

Southern Union Gas Company, a registered holding company, and its principal subsidiary companies, Arkansas Western Gas Company, New Mexico Gas Company, New Mexico Eastern Gas Company, Texas Southwestern Gas Company, Quanah Water Company and Southern Union Production Company, having filed applications and declarations and amendments thereto, pursuant to section 11 (e) and other sections of the Public Utility Holding Company Act of 1935, and the Rules and Regulations of this Commission promulgated thereunder, whereby said applicants request approval of a plan submitted pursuant to said section 11 (e) and authorization for certain particular transactions, constituting component parts of such plan, and actions incidental thereto, including among other things a merger of said Southern Union Gas Company, New Mexico Gas Company, New Mexico Eastern Gas Company and Texas Southwestern Gas Company and in connection with such proposed merger intra-system sales and acquisitions of certain properties and securities, the liquidation of certain subsidiary companies, and the refinancing of the principal surviving operating company, Texas Southwestern Gas Company: and

The Commission having, on June 4, 1942, by notice and order for hearing issued in combination with its notice and order for hearing on the plan filed pursuant to section 11 (e) of the Act, instituted proceedings under sections 11 (b) (1) and 11 (b) (2) of the Act against Southern Union Gas Company and its subsidiaries to determine what action shall be required to be taken under said Sections; and

The Commission having granted the applications, as amended, and having permitted the declarations, as amended, to become effective subject, however, to certain conditions including the terms and conditions prescribed in Rule U-24 and approval by the Commission of the definitive indentures securing Twenty-Year Sinking Fund First Mortgage 3¾% Bonds and Twenty-five Year Sinking Fund 6% Debentures to be issued and sold by Texas Southwestern Gas Company; and

The said applications having been amended subsequent to the Commission's order hereinabove referred to by the filing of definitive indentures for the above-mentioned bonds and debentures; and

It appearing to the Commission that provisions of said definitive indentures are in accord with the provisions described in the Commission's findings and opinion in connection with its order hereinabove referred to and that the indentures are not of such a nature as to make it appropriate to impose any terms or conditions other than as specified in Rule U-24; and

The applicants having requested that the said conditions be modified to the extent necessary to extend the time within which the transactions as set forth in the applications and declarations as amended may be performed to December 31, 1942;

It is ordered, That said applications, as amended, with respect to the issuance and sale by Texas Southwestern Gas Company of Twenty-Year Sinking Fund First Mortgage 334% Bonds and Twenty-five Year 6% Sinking Fund Debentures, be and hereby are approved subject to the terms and conditions prescribed by Rule U-24 and subject to the conditions and reservations set forth in the previous order referred to hereinabove except as to that condition relative to approval of the definitive indentures, which condition has now been satisfied;

It is further ordered, That notwithstanding the provisions of Rule U-24 (c) (1) the time within which the transactions approved and permitted by the order of September 19, 1942, may be performed is hereby extended to December 31, 1942.

By the Commission.

[SEAL]

ORVAL L. DuBois, Secretary.

[F. R. Doc. 42-12174; Filed, November 20, 1942; 3: 25 p. m.]

[File No. 70-115]

UNITED PUBLIC SERVICE CORPORATION
ORDER PERMITTING WITHDRAWAL OF
APPLICATION

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 17th day of November, A. D. 1942.

United Publ' Service Corporation, a registered holding company under the Public Utility Holding Company Act of 1935, having on July 17, 1940, filed an application pursuant to said Act and Rules and Regulations thereunder regarding its acquisition of not to exceed \$100,000 principal amount of First Mortgage 5½% Gold Bonds of Maysville Public Service Corporation (Kentucky Power & Light Company by change of united Public Service Corporation; and United Public Service Corporation; and

All of the outstanding bonds of such subsidiary company having been retired subsequent to the filing of such application; and

United Public Service Corporation having now requested that the Commission permit the withdrawal of such application; and

The Commission finding that such withdrawal will not be detrimental to the public interest or the interest of investors or consumers:

It is ordered, That such application be withdrawn.

By the Commission.

[SEAL]

ORVAL L. DUBOIS, Secretary.

[F. R. Doc. 42-12175; Filed, November 20, 1942; 3:25 p. m.]

[File No. 70-587]

*POTOMAC ELECTRIC POWER COMPANY SUPPLEMENTAL ORDER RELEASING JURIS-DICTION

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 19th day of November, A. D. 1942.

The Commission having heretofore on August 26, 1942 issued an order granting the application as amended of Potomac Electric Power Company, pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935 for exemption from the provisions of section 6 (a) of said Act of the issuance and sale of \$5,000,000 principal amount of First Mortgage Bonds 31/4 % Series due 1977; and

It appearing that at the hearing on said application applicant made the following representation:

That it will on or before December 31, 1942 execute : n indenture supplemental to its Mortgage and Deed of Trust dated July 1, 1936, between the company and the Riggs National Bank of Washington, D. C. as trustee, pursuant to which the company will agree not to apply at any time thereafter for the authentication of additional bonds under such indenture, upon the basis of net bondable value of property additions in an aggregate principal amount in excess of 60 per cent of the net bondable value of property additions available thereafter at such time:

and

The Commission having reserved jurisdiction pursuant to the provisions of Rule U-24 (c) (3) (A) to pass upon the terms of the said supplemental indenture; and

It appearing that the applicant on November 14, 1942 amended the application after its effective date by filing as an exhibit thereto a Supplemental Indendure to be dated October 15, 1942 and that such proposed Supplemental Indenture is in accordance with the representation of the applicant previously made:

It is ordered, That jurisdiction heretofore reserved by the aforesaid order of August 26, 1942 in accordance with the provisions of Rule U-24 be and the same hereby is released.

By the Commission

[SEAL]

ORVAL L. DuBois, Secretary.

[F. R. Doc. 42-12242; Filed November 21, 1942; 11:32 a. m.]

[File No. 1-1863]

GEORGIAN INCORPORATED

WITHDRAWAL OF SECURITIES FROM REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 20th day of November, A. D. 1942.

In the matter of the Georgian Incorporated eight percent cumulative Class A Preference Stock, \$20 par value.

This proceeding having been instituted by the Commission pursuant to section 19 (a) (2) of the Securities Exchange Act of 1934 as amended, to determine whether the registration under the said Act of the eight percent cumulative Class A preference stock, \$20 par value, of The Georgian Incorporated listed on the Boston Stock Exchange should be suspended for a period not exceeding 12 months or withdrawn,

A hearing having been held before a trial examiner after appropriate notice to the registrant and the Boston Stock Exchange by registered mail, and after publication of notice in the Federal Reg-ISTER, and the trial examiner having filed an advisory report, finding that the registrant has failed to comply with the provisions of section 13 of the Act and Rules X-13A-1 and X-13A-2 promulgated pursuant thereto in that it has failed to file its annual report on Form 10-K for the fiscal year ending December 31, 1941, no exceptions to the trial examiner's report having been filed by The Georgian Corporation, the Boston Stock Exchange or any holder of the stock. and upon an independent reading of the record the Commission having adopted the trial examiner's findings as being in accord with the evidence, and finding that it is necessary and appropriate for the protection of investors to withdraw the said eight percent cumulative Class A preference stock, \$20 par value, from registration.

It is ordered, That the registration of the said eight percent cumulative Class A preference stock, \$20 par value, of The Georgian Incorporated be, and the same hereby is, withdrawn effective ten days after the date of this order.

By the Commission.

[SEAL]

ORVAL L. DuBois, Secretary.

[F.R. Doc. 42-12243; Filed, November 21, 1942; 11:32 a. m.]

[File No. 1-1309]

MID-WESTERN OIL COMPANY

ORDER GRANTING APPLICATION TO STRIKE FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 18th day of November, A. D. 1942.

In the matter of Mid-Western Oil Company—5¢ Par Value Common Stock.

The Los Angeles Stock Exchange pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to strike from listing and registration the 5¢ Par Value Common Stock of Mid-Western Oil Company; and

After appropriate notice, a hearing having been held in this matter; and

The Commission having considered said application together with the evi-

dence introduced at said hearing, and having due regard for the public interest and the protection of investors:

It is ordered, That said application be and the same is hereby granted, effective at the close of the trading session on November 28, 1942.

By the Commission.

[SEAL]

ORVAL L. DuBois, Secretary.

[F. R. Doc. 42-12244; Filed, November 21, 1942; 11:32 a. m.]

[File No. 70-626]

HOLBROOK LIGHT AND POWER CO. AND SOUTHWESTERN ICE CO.

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania, on the 19th day of November, A. D. 1942.

Notice is hereby given that declarations or applications (or both) have been filed with this Commission by The Holbrook Light and Power Company and Southwestern Ice Company, both being direct subsidiaries of Southwestern Public Service Company, which is a registered

holding company; and

Notice is further given that any interested person may, not later than December 5, 1942 at 5:30 p. m., E. W. T., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such declarations or applications, as filed or as amended, may become effective or may be granted, as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, Philadelphia, Pennsylvania.

All interested persons are referred to said declarations or applications which are on file in the office of said Commission for a statement of the transactions therein proposed, which are summarized

as follows:

The Holbrook Light and Power Company and the Southwestern Ice Company having sold their property and assets (except cash, accounts receivable, merchandise inventory and prepaid items) to the Town of Holbrook, Arizona, a municipal corporation, for the following amounts of cash respectively, \$86,938.59 in the case of The Holbrook Light and Power Company, and \$3,700.00 in the case of the Southwestern Ice Company, subject to certain adjustments, each proposes as rapidly as possible to pay to Southwestern Public Service Company as its sole stockholder (there being no securities of either company outstanding except Common Stock) a dividend or dividends in complete liquidation and to dissolve.

The Companies propose to convert into cash their assets (other than cash)

not sold and out of such funds and the proceeds of such sales to pay all known liabilities other than accrued Federal taxes. Southwestern Public Service Company will assume all liabilities of the two companies after payment by them of all known liabilities as aforesaid, the liabilities so assumed consisting of accrued Federal taxes and consumers deposits then unclaimed.

The Southwestern Public Service Company proposes in accordance with provisions of section 7 of Article Second of its Indenture to Boatmen's National Bank of Saint Louis securing its Serial Notes, to apply the amounts received from The Holbrook Light and Power Company and the Southwestern Ice Company from time to time as such liquidating dividends, to retire its outstanding Serial Notes by purchase or redemption, such purchases being alleged to be exempt under Rules U-42 (b) (4) and (5), and such redemption (if any) being alleged to be exempt under Rule U-42 (b) (2).

By the Commission.

[SEAL]

ORVAL L. DUBOIS, Secretary.

[F. R. Doc. 42-12245; Filed; November 21, 1942; 11:32 a. m.]

[File 70-628]

NORTH AMERICAN COMPANY

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 20th day of November, A. D. 1942.

Notice is hereby given that an application or declaration (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by The North American Company.

Notice is hereby given that any interested party may, not later than November 28, 1942, at one o'clock p. m., E. W. T., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such declaration or application, as filed or as amended, may become effective or may be granted, as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pa.

All interested parties are referred to said declaration or application, which is on file in the office of said Commission, for a statement of the transaction therein proposed, which is summarized below:

The declarant, The North American Company, a registered holding company, proposes to pay on December 30, 1942, a dividend to its holders of common stock of record on December 5, 1942. Such dividend will be payable in the capital stock of The Detroit Edison Company, owned by declarant at the rate of one share of capital stock of The Detroit Edison Company on each fifty shares of common stock of the declarant outstanding. No certificates will be issued for fractions of shares of stock of The Detroit Edison Company, but, in lieu thereof, cash will be paid at the rate of 35 cents for each Woth of a share of stock of The Detroit Edison Company. The declarant estimates that to pay the above mentioned dividend, it will have to distribute not more than 156,000 shares of the 297,894 shares of the capital stock of The Detroit Edison Company owned by it; that the amount of cash to be distributed in lieu of fractional shares of such capital stock will not exceed \$325,000; and the payment of this dividend will result in a charge to earned surplus of approximately \$4,100,000.

By the Commission.

[SEAL]

ORVAL L. DuBois, Secretary.

[F. R. Doc. 42-12274; Filed, November 23, 1942; 10:21 a. m.]

WAR PRODUCTION BOARD.

TENNESSEE VALLEY AUTHORITY

REVOCATION OF PREFERENCE RATING

Preference Rating Order P-19a, Serial No. 16-A. Builder: Tennessee Valley Authority, Knoxville, Tennessee.

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of metals, lumber and other materials used in construction, for defense, for private account and for export, and of construction machinery and other facilities used in construction; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

It is therefore ordered: 1. Revocation of project ratings. Preference Rating Order P-19a, Serial No. 16-A, heretofore issued and assigned under date of July 24, 1941, to deliveries to the above-named builder and to deliveries to his suppliers, is hereby revoked, insofar as it applies to the following described part of the Defense Project described and defined in said serially numbered order (which part is hereinafter referred to as "the project").

In Item 2 of Serial 16-A, #4 Steam Turbine Generator Unit of Watts Bar Steam Plant rated 60,000 kw. together with boilers, auxiliaries, connections, equipment and structures not necessary to deliver the power of Unit No. 3 (which is to be completed) to the main transmission system.

In Item 6 of Serial 16-A, all additional hydrogenerating units after the first and second units as provided for and as amended and issued July 29, 1942, relating to Item 6, Ft. Laudoun development and any connections, auxiliaries, equipment or structures not necessary to

deliver the power of units #1 and #2 to the main transmission system.

In Item 7 of Serial 16-A, all transmission facilities except those necessary to connect the hydrogenerating equipment provided for in items 1, 3, 4, and 5 of Serial 16-A to the main transmission system.

2. Revocation of other ratings. All preference rating certificates of any character heretofore issued to the builder or to any of his suppliers are hereby revoked, insofar as they apply to purchase orders or contracts for materials to be incorporated in or used upon the project.

3. Effect of revocation. This revocation shall apply to ratings heretofore applied and extended as well as to ratings which have not yet been applied or extended, except with respect to rated orders and contracts which have been filled completely. For the purpose of extension by suppliers, as well as for the purpose of original application by the builder of any such rating, all purchase orders and contracts so rated, except orders or contracts which have been

completely filled, shall have the status of unrated orders or contracts.

4. Prohibition of construction. The builder shall neither perform nor permit the performance of any further construction or installation on the project, except that for a period of thirty days after the issuance of this revocation, and thereafter if expressly permitted by the Director General for Operations, construction may be continued solely for purposes of safety or health or to avoid undue damage to or deterioration of materials.

5. Prohibition of deliveries of material. Effective immediately the builder and all suppliers shall cease delivering or accepting delivery of any materials to be used in connection with the construction of or any installation on the project. This paragraph shall not, however, prohibit the delivery to their immediate destination of any materials which are now in transit, or the acceptance of any such delivery.

6. Notice to suppliers. The builder shall promptly advise its suppliers of the terms of this order, and each supplier shall in turn notify his suppliers.

7. Application for exception. The builder or any supplier who considers that compliance with this order would work an exceptional and unreasonable hardship upon him may apply to the Director General for Operations for an exception, setting forth the pertinent facts and the reasons why he considers he is entiled to the relief requested. The Director General for Operations may thereupon take such action as he deems appropriate, including the restoration or temporary restoration of any rating herein revoked.

8. Effect on prior orders. This order supersedes all previous orders and directives of the War Production Board relative to the project.

9. Communications. All communications concerning this revocation, including applications for exception under paragraph 7, shall be addressed to the War

Production Board, Ref: P-19, Washington, D. C.

Issued this 21st day of November 1942.

ERNEST KANZLER,

Director General for Operations.

[F. R. Doc. 42-12250; Filed, November 21, 1942; 12:21 p. m.]

TENNESSEE VALLEY AUTHORITY REVOCATION OF PREFERENCE RATING

Preference Rating Order P-19a, Serial No. 148-A. Builder: Tennessee Valley Authority, Knoxville, Tennessee.

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of metals, lumber and other materials used in construction, for defense, for private account and for export, and of construction machinery and other facilities used in construction; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

It is therefore ordered: 1. Revocation of project ratings. Preference Rating Order P-19a, Serial No. 148-A, heretofore issued and assigned under date of August 6, 1941, to deliveries to the above named builder and to deliveries to his suppliers, is hereby revoked, insofar as it applies to the following described part of the defense project described and defined in said serially numbered order (which part is hereinafter referred to as "the project"):

(1) Hydro generating Unit #4 (2) Hydro generating Unit #5

(3) Parts of hydro Unit #3 not embedded in the concrete structure and provided for in the amendment of Serial No. 148-A issued August 3, 1942.

(4) Connections, auxiliaries, and structural parts not needed to deliver the power of Units #1 and #2 to the load.
 (5) That part of the transmission line

not required for Units #1 and #2.

2. Revocation of other ratings. All preference rating certificates of any character heretofore issued to the builder or to any of his suppliers are hereby revoked, insofar as they apply to purchase orders or contracts for materials to be incorporated in or used upon the project.

3. Effect of revocation. This revocation shall apply to ratings heretofore applied and extended as well as to ratings which have not yet been applied or extended, except with respect to rated orders and contracts which have been filled completely. For the purpose of extension by suppliers, as well as for the purpose of original application by the builder of any such rating, all purchase orders and contracts so rated, except orders or contracts which have been completely filled, shall have the status of unrated orders or contracts.

4. Prohibition of construction. The builder shall neither perform nor permit the performance of any further construction or installation on the project, except that for a period of thirty days after the issuance of this revocation, and thereafter H expressly permitted by the Director General for Operations, con-

struction may be continued solely for purposes of safety or health or to avoid undue damage to or deterioration of materials.

5. Prohibition of deliveries of material. Effective immediately the builder and all suppliers shall cease delivering or accepting delivery of any materials to be used in connection with the construction of or any installation on the project. This paragraph shall not, however, prohibit the delivery to their immediate destination of any materials which are now in transit, or the acceptance of any such delivery.

6. Notice to suppliers. The builder shall promptly advise its suppliers of the terms of this order, and each supplier shall in turn notify his suppliers.

7. Application for exception. The builder or any supplier who considers that compliance with this order would work an exceptional and unreasonable hardship upon him may apply to the Director General for Operations for an exception, setting forth the pertinent facts and the reasons why he considers he is entitled to the relief requested. The Director General for Operations may thereupon take such action as he deems appropriate, including the restoration or temporary restoration of any rating herein revoked.

8. Effect on prior orders. This order supersedes all previous orders and directives of the War Production Board rela-

tive to the project.

9. Communications. All communications concerning this revocation, including applications for exception under paragraph 7, shall be addressed to the War Production Board, Ref: P-19, Washington, D. C.

Issued this 21st day of November 1942,

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42-12249; Filed, November 21, 1942; 12:21 p. m.]

TENNESSEE VALLEY AUTHORITY

REVOCATION OF PREFERENCE RATING

Preference Rating Order P-19-A, Serial No. 5678A. Builder: Tennessee Valley Authority, Knoxville, Tennessee. Project: Defense Project described and defined in Preference Rating Order P-19-A, Serial No. 5678A.

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of metals, lumber and other materials used in construction, for defense, for private account and for export, and of construction machinery and other facilities used in construction; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

It is therefore ordered:

1. Revocation of ratings. Preference Rating Order P-19-A Serial No. 5678A, heretofore issued and assigned under date of February 21, 1942 to deliveries to the above-named builder and to deliveries to his suppliers, is hereby re-

voked. All preference rating certificates of any character heretofore issued to the builder or to any of his suppliers are hereby revoked, insofar as they apply to purchase orders or contracts for materials to be incorporated in or used upon the above project described (hereinafter referred to hs "the project").

2. Effect of revocation. This revocation shall apply to ratings heretofore applied and extended as well as to ratings which have not yet been applied or extended, except with respect to rated orders and contracts which have been filled completely. For the purpose of extension by suppliers, as well as for the purpose of original application by the builder of any such rating, all purchase orders and contracts so rated, except orders or contracts which have been completely filled, shall have the status of unrated orders or contracts.

3. Prohibition of construction. The builder shall neither perform nor permit the performance of any further construction or installation on the project, except that for a period of thirty days after the issuance of this revocation, and thereafter if expressly permitted by the Director General for Operations, construction may be continued solely for purposes of safety or health or to avoid undue damage to or deterioration of

materials.

4. Prohibition of deliveries of material. Neither the builder nor any supplier, shall deliver or accept delivery of any further materials to be used in connection with the construction of or any installation on the project. This paragraph shall not, however, prohibit the delivery to their immediate destination of any materials which are now in transit, or the acceptance of any such delivery.

5. Reports. The builder shall file with the War Production Board, Materials Redistribution Branch, such reports as may be required by the Director General

for Operations.

6. Notice to suppliers. The builder shall promptly advise its suppliers of the terms of this order, and each supplier shall in turn notify his suppliers.

7. Application for exception. builder or any supplier who considers that compliance with this order would work an exceptional and unreasonable hardship upon him may apply to the Director General for Operations for an exception, setting forth the pertinent facts and the reasons why he considers he is entitled to the relief requested. The Director General for Operations may thereupon take such action as he deems appropriate, including the restoration or temporary restoration of any rating herein revoked. Applications for exception under this paragraph shall be addressed to the War Production Board, Ref. P-19, Washington, D. C.

8. Effect on prior orders. This order supersedes all previous orders and directives of the War Production Board rela-

tive to the project.

9. Communications. Communications concerning this revocation shall be addressed to the War Production Board, Ref. P-19, Washington, D. C.

Issued November 21, 1942.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 42-12248; Filed, November 21, 1942; 12:21 p. m.]

RECOMMENDATION OF PETROLEUM COORDINATOR FOR WAR

[Certificate No. 22]

THE ATTORNEY GENERAL: Pursuant to the provisions of section 12 of Public Law No. 603, approved June 11, 1942, I submit Recommendation No. 61 of the Petro-

leum Coordinator for War.

I hereby approve said Recommendation for the purposes of section 12 of Public Law No. 603, approved June 11, 1942, and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with such Recommendation, is requisite to the prosecution of the war.

DONALD M. NELSON, -Chairman,

NOVEMBER 20, 1942.

[F. R. Doc. 42-12282; Filed, November 23, 1942; 11:14 a. m.]

TENNESSEE VALLEY AUTHORITY

REVOCATION OF PREFERENCE RATING

Preference Rating Order P-19a, Serial No. 6898. Builder: Tennessee Valley Authority, Knoxville, Tennessee.

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of metals, lumber and other materials used in construction, for defense, for private account and for export, and of construction machinery and other facilities used in construction; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense: It is therefore ordered:

1. Revocation of project ratings. Preference Rating Order P-19a, Serial No. 6898, heretofore issued and assigned under date of February 9, 1942, to deliveries to the above-named builder, and to deliveries to his Suppliers, is hereby revoked, insofar as it applies to the following described part of the Defense project described and defined in said serially numbered order (which part is hereinafter referred to as "the project"):

(1) All additional hydro generating units after the first and second units provided for in Serial No. 6898 as amended

July 30, 1942.

(2) All connections, auxiliaries, equipment, and structures not required to deliver the power generated by Units No. 1 and No. 2 to the main transmission system.

2. Revocation of other ratings. All preference rating certificates of any character heretofore issued to the builder or to any of his Suppliers are hereby revoked, insofar as they apply to purchase orders or contracts for mate-

² Supra.

rials to be incorporated in or used upon

the project.

3. Effect of revocation. This revocation shall apply to ratings heretofore applied and extended as well as to ratings which have not yet been applied or extended, except with respect to rated orders and contracts which have been filled completely. For the purpose of extension by suppliers, as well as for the purpose of original application by the builder of any such rating, all purchase orders and contracts so rated, except orders or contracts which have been completely filled, shall have the status of unrated orders or contracts.

4. Prohibition of construction. The builder shall neither perform nor permit the performance of any further construction or installation on the project, except that for a period of thirty days after the issuance of this revocation, and thereafter if expressly permitted by the Director General for Operations, construction may be continued solely for purposes of safety or health or to avoid undue damage to or deterioration of materials.

5. Prohibition of deliveries of material. Effective immediately the builder and all suppliers shall cease delivering or accepting delivery of any materials to be used in connection with the construction of or any installation on the project. This paragraph shall not, however, prohibit the delivery to their immediate destination of any materials which are now in transit, or the acceptance of any such delivery.

6. Notice to suppliers. The builder shall promptly advise its suppliers of the terms of this order, and each supplier shall in turn notify his suppliers.

7. Application for exception. The builder or any supplier who considers that compliance with this order would work an exceptional and unreasonable hardship upon him may apply to the Director General for Operations for an exception, setting forth the pertinent facts and the reasons why he considers he is entitled to the relief requested. The Director General for Operations may thereupon take such action as he

deems appropriate, including the restoration or temporary restoration of any rating herein revoked.

8. Effect on prior orders. This order supersedes all previous orders and directives of the War Production Board relative to the project.

9. Communications. All communications concerning this revocation, including applications for exception under paragraph 7, shall be addressed to the War Production Board, Ref: P-19, Washington, D. C.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 23rd day of November 1942.

ERNEST KANZLER,

Director General for Operations.

[F. R. Doc. 42-12287; Filed, November 23, 1942; 11;39 a. m.]

